AGENDA

PUBLIC SAFETY COMMISSION SPECIAL MEETING

MONDAY, AUGUST 3, 2026, 1:00 PM

CITY HALL COUNCIL CHAMBERS - 401 S VENTURA ST, OJAI CA 93023

VIEWING & ACCESS

Public participation is encouraged! The meetings are conducted in a hybrid model, providing both in-person attendance and virtual public comment via the Zoom link below. Virtual attendance via Zoom is the only way to remotely provide public comment. Pre-registration is not required for public comment via Zoom. Instead, Zoom participants will utilize the "hand-raise" function to indicate their desire to speak on an item. The meeting is also livestreamed on the City's website at ojai.ca.gov/525/2968/Public-Meetings, on YouTube at youtube.com/@ojaicity, and on Spectrum Channel 10. See "Public Comment Options" below for further instruction.

ZOOM LINK - August 3, 2026 - Special Meeting

ROLL CALL

PLEDGE OF ALLEGIANCE

OATH OF OFFICE
City Clerk Steve Quilici will administer oath of office to all commissioners.

APPROVAL OF AGENDA

PUBLIC COMMUNICATIONS
Public Communications is the time set aside during the meeting for members of the public to address the Commission on items of business other than scheduled agenda items. Matters raised at this time may be briefly discussed by the Commission and will generally be referred to staff and/or placed on a subsequent agenda. Under State law, other than for emergency items, no action can be taken.

DISCUSSION ITEMS

1. **Election of Public Safety Commission Chair, Vice Chair, and Secretary**
   RECOMMENDATION: Nominate and vote to elect a Public Safety Commission

Chair, Vice Chair, and Secretary.
Agenda Report - Election of Public Safety Commission Seats
Attachment A - Ordinance No. 972 - Establishing the Public Safety Commission

2. **Brown Act Training**
RECOMMENDATION: Receive information and a presentation from the City Attorney's Office regarding the Brown Act.
Agenda Report - Brown Act Training
Attachment A - Ojai Boards and Commissions Handbook
Attachment B - Brown Act Law

3. **Establishment of Regular Meeting Day, Time, and Location for the Public Safety Commission**
RECOMMENDATION: Discuss and determine the day, time, and location for the Commission's regular monthly meeting.
Agenda Report - Schedule for Regular Meetings

4. **Draft Speed Hump Policy**
RECOMMENDATION: Review the draft Speed Hump Policy and provide feedback to staff for further refinement.
Agenda Report - Draft Speed Hump Policy
Attachment A - County of Ventura Modified Policy for City of Ojai
Attachment B - Comparison of Speed Hump Policies

5. **Report of Traffic Calming Requests**
RECOMMENDATION: Receive and file the report detailing the traffic calming requests submitted to staff, which are scheduled for evaluation.
Agenda Report - Report of Traffic Calming Requests
Attachment A - List of Pending Traffic Calming Requests

FUTURE AGENDA ITEMS

COMMISSIONER, COUNCIL LIAISON, AND STAFF COMMENTS

ADJOURNMENT
Posted July 29, 2026, at 11:00 a.m.
Jacquelyn Rojas, Public Works Administrative Analyst II
jackie.rojas@ojai.ca.gov

WRITTEN PUBLIC COMMENTS
All written public comments will be published here for public access. Please see "Public Comment Options" below for detailed instructions on how to submit.

Written Public Comments for August 3, 2026, Special Meeting

ACCOMMODATIONS

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call (805) 646-5581. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this

meeting.

If you feel that a language interpreter is necessary for you to participate in this meeting, notification 48 hours prior to the meeting will enable the City to make reasonable arrangements for an interpreter to assure your participation/understanding of this meeting.

Si considera que un intérprete de idiomas es necesario para participar en esta reunión, la notificación 48 horas antes de la reunión le permitirá a la Ciudad hacer arreglos razonables para que un intérprete asegure su participación/comprensión de esta reunión del Concejo Municipal.

Para Español por favor llame al (805) 646-5581 ext. 100 o por correo electronico a cityclerk@ojai.ca.gov.

PUBLIC PARTICIPATION

Agenda reports and other disclosable public records related to agenda items are available on the City's website at ojai.ca.gov/525/2968/Public-Meetings and at City Hall located at 401 S. Ventura Street, Ojai, California, during regular business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m.

PUBLIC COMMENT OPTIONS

Written Comments: In order for staff to provide written public comments timely to the legislative body, written/emailed public comments must be submitted no later than 3:00 p.m. on the day before the meeting.

You may always submit written comments to the City via mail, in person at City Hall, or via email to **the email address listed above (under Adjournment).** If your written comment is received by 3:00 p.m. on the day before the meeting date, your comments will be distributed to the legislative body and recorded on the City website. Written comments received after 3:00 p.m. may not be distributed or recorded on the City website until after the meeting.

Verbal Comments: Verbal Comments will be received on any item on the agenda at the time the agenda item is heard. Comments may be made in person at the meeting or through Zoom, via the link at the top of the Agenda. Pre-registration is not required for public comment via Zoom. Instead, Zoom participants will utilize the hand-raise function to indicate their desire to speak on an item.

IMPORTANT NOTES:
All materials related to an item on this agenda, including written public comments, will be available for public inspection in the City Clerk's Office at City Hall, and following the meeting, will be accessible on the City of Ojai's website at ojai.ca.gov.

As a government agency, the City of Ojai is subject to the California Public Records Act (Government Code § 6250 et seq.). Please be advised that all communications submitted to City officials and staff are subject to public disclosure under the California Public Records Act. There are limited exceptions that allow the City to redact personal information under the California Public Records Act. If you have concerns regarding privacy, please do not include your personal identifying information, such as your name, e-mail, phone number, and home

address in your correspondence to the City, including, but not limited to, public comment.

If you challenge the actions of this Commission/Committee in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in the public notices, or in written correspondence delivered to the Commission/Committee at, or prior to, the public hearing (California Government Code Section 65009).

Any legal action by an applicant seeking to obtain a judicial review of the Commission/Committee's decision on a Hearing listed on this Agenda may be subject to the 90-day filing period of and governed by Code of Civil Procedure Section 1094.6.

LEVINE ACT WARNING

Applicants and their agents before this Commission/Committee are subject to the campaign disclosure provisions detailed in Government Code Section 84308. No City Commissioner/Committee member may accept, solicit, or direct a contribution of more than $500 from any party or agent for 12 months subsequent to the date a final decision is rendered by the City. This prohibition commences when your application has been filed, or the proceeding is otherwise initiated.

A party to a City proceeding, which includes both applicants and agents, shall disclose on the record of the proceeding any contribution of more than $500 made to any Commissioner/Committee member by the applicant or agent, during the preceding 12 months. No party to a City proceeding, or agent, shall make a contribution to a Commissioner/Committee member during the proceeding and for 12 months following the date a final decision is rendered by the City.

Prior to rendering a decision on a City proceeding, any Commissioner/Committee member who received a contribution of more than $500 within the preceding 12 months from any party, or agent, to a proceeding shall disclose that fact on the record of the proceeding and shall be disqualified from participating in the proceeding. However, if any Commissioner/Committee member receives a contribution that otherwise would require disqualification and returns the contribution within 30 days of knowing about the contribution and the relevant proceeding, the Commissioner/Committee member shall be permitted to participate in the proceeding.

If you believe that these provisions apply to you or a Commissioner/Committee member, please inform the City Clerk at the earliest possible opportunity. Failure to do so may affect the City's ability to process your application.

Administrative Report

TO: **Public Safety Commission**

FROM: **Lindy Palmer, Public Works Director**

MEETING DATE: **August 3, 2026**

SUBJECT: **Election of Public Safety Commission Chair, Vice Chair, and Secretary**

RECOMMENDATION

Nominate and vote to elect a Public Safety Commission Chair, Vice Chair, and Secretary.

DISCUSSION

The Public Safety Commission elects its chairperson, vice-chairperson, and secretary from among its membership. Such officers are elected annually by the Commission. The vote for the current Chair, Vice Chair, and Secretary positions will be held during the inaugural meeting (OMC § 3-9.02).

Chair, Vice Chair, and Secretary Responsibilities

The Chair is responsible for presiding at Public Safety Commission meetings and representing the Commission on occasion at City Council meetings to give an update on the Commission's activities, as well as ceremonial and civic events. The Chair (or presiding officer in their absence) may not direct City Staff to perform work on behalf of the Commission but may consult with the City Manager and Staff Liaison regarding Commission requests for staff work (OMC § 3-9.09).

The Vice Chair assumes the Chair's duties in their absence and shall succeed the Chair if the Chair vacates office before the term is completed and shall serve the unexpired term. Subsequently, a new Vice Chair is elected at the next regular meeting or as soon as is practical. In the absence or disability of either the Chair or Vice Chair, the Commission may designate a Chair Pro Tempore (OMC § 3-9.05).

The Secretary is responsible for keeping meeting minutes at all Commission meetings. Copies of minutes must be delivered through the Commission Liaison to the Commission Clerk for filing and distribution to City Council members. Minutes must be delivered within 15 days after the Commission's approval of those minutes (OMC § 3-9.06).

Minutes use the same format as the meeting agenda and use the "action minutes" format, recording only the motions and actions of the Committee. This is consistent with Council minutes format. Minutes are not to be narrative or verbatim in format or style, and do not attempt to interpret intent of individual discussion. The video archives of all recorded

meetings are provided for that purpose and record.

Officer Election Procedures

Commission members may nominate themselves or any other member; no second is required. Once nominations are complete, a vote on the nominees in the order of nomination is taken.

Each voting member of the Commission shall have one vote. The nominee receiving votes from a majority of the members in attendance shall be declared the winner. If no member receives a majority, the process shall be repeated, except in the event of a tie between the top two vote-getters, in which case a run-off shall be held. The member nominated as Chair assumes the office of Chair immediately.

Using the same procedure, the Chair conducts nominations and voting for a Vice Chair. If the Commission decides to appoint a Secretary, then the Chair shall conduct nominations and voting for a Secretary.

Terms of Commissioners

The Public Safety Commission consists of five members whose terms are structured as follows: For the inaugural Commission, the first three members appointed shall serve an initial term of up to four years, while the remaining two members shall serve an initial term of up to two years. All inaugural Commissioners are eligible for reappointment, and all subsequent Commission appointments shall be for a standard term of four years. The terms of all members expire at the second regular City Council meeting of May each year. Members shall hold office upon the expiration of their terms until their successors have been nominated and confirmed, ensuring no gap in Commission membership. Any person appointed to fill a mid-term vacancy shall hold office only for the remainder of the unexpired term (OMC§ 3-9.02).

The table below shows the current terms for each commissioner:

PUBLIC SAFETY COMMISSION		
Appointee	**Appointed**	**Term Expires**
Larry Steingold	05/12/2026	5/2030
Jim McEachen	05/26/2026	5/2030
Randy Coggan	06/09/2026	5/2030
Raymond Sims	06/23/2026	5/2028
Brenna Furness	06/23/2026	5/2028

Additional details related to the Chair, Vice Chair, and Secretary are included in the Boards, Committees and Commissions Handbook, last revised on March 11, 2025. Handbooks were previously provided to each Commissioner. Additional copies may be made available through a request to the Commission liaison.

FISCAL IMPACT
None

Prepared by: Lindy Palmer, Public Works Director

ATTACHMENT(S)

A. City of Ojai Ordinance No. 972 – Establishing the Public Safety Commission

ATTACHMENT A

CITY OF OJAI

ORDINANCE NO. 972

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OJAI, CALIFORNIA, AMENDING TITLE 3 OF THE OJAI MUNICIPAL CODE TO ADD A NEW CHAPTER 9 ESTABLISHING A PUBLIC SAFETY COMMISSION AND PROVIDING FOR NOMINATION AND INITIAL TERMS OF MEMBERS TO THE PUBLIC SAFETY COMMISSION, AND PROVIDING ORGANIZATIONAL REQUIREMENTS AND ROLES AND RESPONSIBILITIES OF THE PUBLIC SAFETY COMMISSION

WHEREAS, the City Council recognizes the importance of fostering a safe, resilient, and well-informed community; and

WHEREAS, the City prioritizes community engagement and public comment on matters of importance to the City and its residents; and

WHEREAS, the Commission will serve as an advisory body to provide informed recommendations to the City Council regarding public safety matters; and

WHEREAS, the Public Safety Commission will provide an opportunity to allow the public to engage with the City in matters of public safety, including, but not limited to, traffic and vehicular safety, wildfire preparedness, and other public safety matters; and

WHEREAS, the City faces increasing challenges related to traffic congestion, vehicular accidents, and pedestrian safety that require comprehensive planning and community input; and

WHEREAS, the City is located in an area subject to wildfire risk and other emergencies, and the City Council is interested in policies that protect lives, property, and natural resources from hazards; and

WHEREAS, the City Council recognizes the value of community participation in reviewing, evaluating, and providing recommendations on public safety policies, programs, and initiatives; and

WHEREAS, establishing a Public Safety Commission will enhance transparency and community engagement in public safety matters.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OJAI, CALIFORNIA, DOES ORDAIN, AS FOLLOWS:

SECTION 1. Recitals. The above set forth recitals and findings are true and correct and incorporated herein by reference, as if set forth in full.

SECTION 2. Code Amendment. Title 3 of the Ojai Municipal Code is hereby amended to add a new Chapter 9, entitled "Public Safety Commission" which shall read in its entirety as follows:

Chapter 9 Public Safety Commission

Sec. 3-9.01. Public Safety Commission Established.

(a) There is hereby established a Public Safety Commission consisting of five members.

(b) Commissioners shall be nominated and appointed through the following process:

(1) For the inaugural Commission, a nominating committee comprised of the Mayor and a rotating City Councilmember, as determined by the City Clerk, shall nominate four Commissioners for confirmation by the City Council, with each Councilmember having an opportunity to serve on a nominating committee. The Mayor shall nominate one Commissioner independently for confirmation by the City Council.

(2) For all subsequent appointments, a nominating committee comprised of the following three members shall nominate each Commissioner for confirmation by the City Council: the Mayor; a rotating City Councilmember, as determined by the City Clerk; and the Commission Chair, or the Vice-Chair if the Chair's office is under consideration within two months of the nomination.

(3) All nominations shall be subject to confirmation by a majority vote of the entire City Council.

(4) If any member of the nominating committee affirmatively declines to participate in the nomination process, then their seat shall be forfeit and the next person, as appropriate and as determined by the City Clerk shall participate on the nominating committee instead: the next rotating Councilmember, as determined by the City Clerk; the Chair, Vice-Chair, or Commission member; or the Mayor Pro Tem for the Mayor.

(5) The nominating committee shall agree on applicants to be interviewed. The nominating committee shall then interview such applicants, virtually or in person, before selecting a nominee for City Council confirmation.

(6) The nominating committee must unanimously decide each nominee for confirmation by a majority vote of all members of the City Council. No nominee shall be submitted to the City Council for confirmation without unanimous support of the nominating committee.

(7) If a nominee fails to garner a majority vote of the full City Council, then the applicable nominating committee shall meet again to consider and propose a new nominee for confirmation by the City Council in accordance with the process in this section. This process shall repeat until a nominee is confirmed by a majority vote of the entire City Council.

(8) If a nominee fails to garner a majority vote of the full City Council, then the applicable nominating committee shall meet again to consider and propose a new nominee for confirmation by the City Council in accordance with the process in this section. This process shall repeat until a nominee is confirmed by a majority vote of the entire City Council.

(9) If a mid-term vacancy occurs, whether as a result of removal, resignation, or any other cause, the nominating committee may nominate their replacement to fill the remainder of the original term in accordance with the process in this section, which must be confirmed by a majority of the entire City Council. Where feasible, the members of the nominating committee used to nominate the member whose seat is vacated shall be used to nominate their replacement. Where members of such nominating committee are no longer in office or otherwise unavailable to serve on the nominating committee to fill the vacant seat, the seat shall be filled by the following, as appropriate: the next rotating Councilmember, as determined by the City Clerk; the Mayor Pro Tem if the Mayor is unable to serve on the nominating committee; or the sitting Chair, or the Vice-Chair if the Chair's office is under consideration within two months of the nomination.

(c) All Commission appointments are non-political appointments. While it is preferred that all members of the Commission have primary residence and be domiciled within the City, a maximum of two members of the Commission may have primary residence and be domiciled outside the City. All members must live within the Ojai Area of Interest, as defined by the Ventura County Local Agency Formation Commission. In selecting nominees and making appointments, each nominating committee may give preference to applicants demonstrating specialized knowledge or expertise in the Commission's subject matter jurisdiction, as outlined in Section 3-9.07.

Sec. 3-9.02. Terms.

(a) For the inaugural Commission, the first three members appointed shall serve an initial term of up to four years, and the remaining two members shall serve an initial term of up to two years. All inaugural Commissioners are eligible for reappointment. All subsequent Commission appointments shall be for a term of four years.

(b) The terms of all members of the Commission shall expire at the second regular City Council meeting of May.

(c) Members shall hold office upon the expiration of their terms until their successors have been nominated and confirmed. A person who has been appointed to fill a vacancy shall hold office for the remainder of the unexpired term.

Sec. 3-9.03. Compensation.

No member of the Commission shall receive compensation for their services as a member.

Sec. 3-9.04. Removal.

A Commissioner may be removed from office by the following process: two City Councilmembers must advise the City Manager of their intent to place an item on an upcoming City Council agenda to consider the removal of a Commissioner. The City Manager must then contact the Commissioner to advise him/her of that notification, and to provide the Commissioner with at least seven days' advance notice of any agendized City Council discussion regarding the possible Commissioner removal. The Commissioner may choose to resign or object to the proposed action. Commissioners serve "at will" and may be removed for any reason. The Commissioner shall be given an opportunity to speak to the full City Council at the agendized public meeting if they wish to do so, before consideration of their removal. After completing this process, any Commissioner may be removed by a majority of the entire City Council vote at a regular City Council meeting.

Sec. 3-9.05. Organization.

The Commission shall annually elect a Chair, Vice-Chair, a Secretary, and such other officers deemed necessary. In the absence or disability of either the Chair or Vice-Chair, the Commission may designate a Chair pro tempore. Regular meetings of the Commission shall be public and shall be held monthly for the first six months following the appointment and swearing in of the last Commissioner. Thereafter, the Commission may meet on a monthly basis, but shall meet at least once per calendar quarter.

Sec. 3-9.06. Minutes of Meetings.

Meeting minutes shall be kept of all Commission meetings, and copies thereof shall be delivered by the Secretary of the Commission, through the Commission Liaison, to the City Clerk for filing and distribution to the members of the Council within 15 days after the Commission's approval.

Sec. 3-9.07. Rules of Procedure.

Unless otherwise provided in this chapter, the Commission meetings shall be governed by Rosenberg's Rules of Order and the City's adopted Boards and Commissions Handbook. Three Commissioners shall constitute a quorum, without regard to residency, and a simple majority of the votes of a quorum as present shall be required to pass a motion.

Sec. 3-9.08. Powers and Duties.

The purpose of the Commission shall be to make advisory policy recommendations to the City Council on the matters outlined in this section. To this end, the Commission shall not exercise any adjudicatory authority, have responsibility to review or investigate specific incidents, address complaints regarding specific individuals, or interfere with the operational decisions of the City's contracted public safety agencies. The duties of the Commission include the following:

(a) Make recommendations to the City Council regarding neighborhood watch and Citizens Emergency Response (CERT) programs, and other public-facing public safety programs and initiatives of the Ventura County Sheriff's Office and Ventura County Fire Department;

(b) Develop and recommend methods for increasing public safety awareness to the City Council by recommending the most effective means of community communication and outreach;

(c) Recommend annual commendations by City Council for private residents and public employees who make significant contributions to public safety within the community;

(d) Review community concerns and make recommendations to the City Council on parking regulations, sidewalk conditions and accessibility, speed limits and enforcement, crosswalk safety and visibility, and traffic control strategies to improve both pedestrian and vehicle safety; and

(e) Recommend to the City Council fire hardening and fire safety initiatives to improve community resilience and preparedness within the City's jurisdiction, including promoting fire safety education; and

(f) Provide other recommendations to City Council on issues involving public safety in the community as directed or requested by the City Council.

Any recommendations submitted to the City Council shall be in writing, including a summary of public comments received on each particular recommendation.

Sec. 3-9.09. Authority Over City Officers, Employees, and Residents.

The Commission shall not interfere with the powers and duties of City officers or the management or operations of the City, and shall not direct City staff or require staff to perform work on behalf of the Commission. The Chair, or presiding officer in their absence, may consult with the City Manager and Staff Liaison regarding Commission requests for staff to perform work on behalf of the Commission. Requests not included in the annual budget approved by the City Council require City Council approval before commencement of the work. The Commission shall not adjudicate any matters regarding resident complaints about specific incidents or allegations against City officers, employees, or contractors. The Commission shall have no authority to compel attendance of persons before it.

SECTION 3. Environmental Determination. The City Council determines that based on the entire administrative record, the foregoing amendment to the Ojai Municipal Code is exempt from the California Environmental Quality Act (CEQA) for the following reasons. Pursuant to California Code of Regulations, Title 14, Section 15061(b)(3) of the CEQA Guidelines, CEQA review is not required if an activity is not a project as defined in Section 15378 of the CEQA Guidelines. In accordance with Section 15378(b)(5), a "project" for purposes of CEQA does not include organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment. This ordinance is administrative in nature, and will not result in any direct or indirect physical changes in the environment. The adoption of this ordinance is therefore exempt from CEQA review pursuant to California Code of Regulations, Title 14, Sections 15060 and 15378, subdivision (b)(5) of the CEQA Guidelines.

SECTION 4. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases or portions might be declared invalid or unconstitutional.

SECTION 5. Certification. The City Clerk shall cause this Ordinance to be published as required by law and shall cause a copy of this Ordinance and its certification, together with proof of publication, to be entered in the Book of Ordinances of the City.

SECTION 6. Effective Date. This Ordinance shall take effect 30 days after its passage.

PASSED, APPROVED and ADOPTED March 10, 2026.

CITY OF OJAI, CALIFORNIA

Andy Gilman, Mayor

Date: March 14, 2026

ATTEST:

Steve Quilici, City Clerk

APPROVED AS TO FORM:

Bethany A. Burgess, City Attorney

I, Bridget Mara, Acting Deputy City Clerk of the City of Ojai, certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Ojai held on February 24, 2026, and adopted at a regular meeting held on March 10, 2026, by the following vote:

AYES: Gilman, Lang, Rule
NOES: Mang, Whitman

Bridget Mara, Acting Deputy City Clerk

Administrative Report

TO: **Public Safety Commission**

FROM: **Lindy Palmer, Public Works Director**

MEETING DATE: **August 3, 2026**

SUBJECT: **Brown Act Training**

RECOMMENDATION

Receive information and a presentation from the City Attorney's Office regarding the Brown Act.

DISCUSSION

At this Public Safety Commission meeting, the City Attorney will be providing Brown Act Training. The Commissioners will have an opportunity to ask questions.

FISCAL IMPACT

None

Prepared by: Lindy Palmer, Public Works Director

ATTACHMENT(S)

A. Ojai Boards and Commissions Handbook
B. Brown Act Law

ATTACHMENT A

CITY OF OJAI

BOARDS, COMMITTEES AND COMMISSIONS HANDBOOK

Presented March 11, 2025

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1. Introduction

The City of Ojai's (City) boards, committees, and commissions (Committees) serve vital roles in support of a well-functioning city government alongside City Council, Management and Staff. The better committees function, the better city government can serve the needs of its residents and businesses. It is towards this end that this handbook was prepared.

The scope of Committee responsibilities, procedures, and applicable laws is wide. It would be impractical to include all relevant material in one document. Therefore, this document is intended to provide: (1) a brief overview of key subject areas and (2) reference more in-depth materials on specific subjects.

2. Committees

Committees established by the Ojai Municipal Code (OMC) are:

- Planning Commission
- Parks and Recreation Commission
- Historic Preservation Commission
- Arts Commission
- Building Appeals Board

An ordinance approved by a majority of the City Council is required to change the OMC.

The City Council may appoint members of the public to other committees in the County that are subject to rules and regulations of the governing body or law that created them. To simplify this handbook, rules and processes specific to those Committees are not included herein.

3. Committee Membership

Committee Member Selection Process

Committee members are appointed by a three-member nominating committee composed of the Mayor, a rotating City Council Member (as determined by the City Clerk), and the Chair (or Vice-Chair if a Chair vacancy is under consideration). The nominating committee must reach a unanimous decision for each nominee to be confirmed by the City Council.

If a majority of the full City Council declines to accept nominees proposed by a unanimous vote of the nominating committee, the nominating committee begins the process again to interview candidates from the existing applicant pool and select a new nominee until the City Council confirms the nominating committee's choice.

Vacancies created mid-term are filled in the same manner.

Committee Member Qualifications

Member qualifications, including residency requirements, for appointed committee members are described in their respective ordinances.

- Planning Commission – OMC Title 10 Ch. 1
  - Preferred members reside in the City.
  - At least two members shall be chosen from persons having distinctly separate training and experience from the fields of architecture, art, building construction, civil engineering, land use planning, land use law, urban planning, or landscape design.
  - A maximum of two members may reside outside the City, if determined necessary by the City Council to appoint Commissioners with specialized expertise in one or more of the fields identified above.
  - All members must live within the Ojai Area of Interest, as defined by the Ventura County Local Agency Formation Commission.

- Arts Commission - OMC Ch. 4-16 Art. 1
  - Members not required to reside in the City.
  - Must be selected from the community who have a special knowledge of and a demonstrated interest in the arts and who are interested in promoting the arts.

- Parks and Recreation Commission - OMC Ch. 2-4 Art. 1
  - Preferred members reside in the City.
  - A maximum of three members may reside outside the City.
  - All members must live within the Ojai Area of Interest, as defined by the Ventura County Local Agency Formation Commission.
  - One "Youth Commissioner" - This is a non-voting and high school-aged seat appointed by the Mayor.

- Historic Preservation Commission - OMC § 4-8.03
  - Preferred members reside in the City.
  - A maximum of three members may reside outside the City.
  - All members must live within the Ojai Area of Interest, as defined by the Ventura County Local Agency Formation Commission.

- Building Appeals Board – OMC § 9-1.214
  - Must be a resident of the City.

How to Apply

Application forms for Committee appointments are available from the City Clerk and can be obtained from the City website. Applicants contact information is not made public, but all other information including qualifications is disclosable.

Upon Joining the Committee

New Committee members, before assuming their responsibilities, must take an oath of office as described in the California State Constitution Article XX, Sec. 3. (See also Govt. Code § 1360). Oaths are administered by the City Clerk, or designee.

Select Committee members, designated in the City's Conflict of Interest Code, are required to submit a Statement of Economic Interests (FPPC Form 700) to the City Clerk within 30 days after assuming office, annually and upon leaving office. The City's Conflict of Interest Code is adopted by Resolution of the City Council. A copy of the current Conflict of Interest Code may be requested from the City Clerk.

New Committee members must participate in Government Code § 53235 (AB 1234) ethics training, within 12 months of appointment and every two years thereafter. New members must complete sexual harassment prevention training (AB 1825) within six months of appointment, and every two years thereafter. This training is available from many sources, and compliance sessions are also provided by the City Attorney.

Term of Office

Per each Committee's establishing ordinance, Committee members serve for 4-year terms and there are no term limits. The only exception is the "Youth Commissioner" of the Parks and Recreation Commission who is limited to one 2-year term. (see OMC § 2-4.103). All Committee members also serve until their successor is appointed and qualified.

Removal from Office

Committee members serve "at will" and may be removed for any reason. Committee appointments are non-political appointments. The process for the removal of a Committee member is as follows:

- Two City Councilmembers must advise the City Manager of their intent to place an item on an upcoming City Council agenda to consider the removal of a Committee member.

- The City Manager must then contact the Committee member to advise them of the request, and to provide the Committee member with at least seven days advance notice of any agendized City Council discussion regarding the possible member removal.

- The Committee member may choose to resign or object to the proposed action.

- The Committee member shall be given an opportunity to speak to the full City Council at the agendized public meeting if they wish to do so, before consideration of their removal.

- After completing this process, any Committee member may be removed by majority City Council vote at a regular City Council meeting.

Examples of reasons Committee members may be removed include, but are not limited to: excessive absences, verbally or physically abusive behavior, violations of ethics, violations of City policies, conflicts of interest.

Leaving Office

Committee members may resign at any time. Sixty (60) days notice is suggested to enable a replacement to be identified and appointed without causing a gap in Committee membership. Each Committee member must file an FPPC Form 700 Leaving Office Statement within 30 days of leaving office.

4. Role of Committees

All Committees have an advisory role to City Council. This advisory role is constrained to the Committee's area of responsibility, as set forth in the OMC.

A few Committees have areas in which they hold delegated decision-making responsibility by the Municipal Code or by Council. Thus, the Planning Commission grants use permits and variances; similarly, a member of the Building Appeals Board hears appeals of certain code enforcement actions.

The primary function of City Committees, however, is to advise the City Council. Both informal and formal means of communication may be used to fulfill this advisory role. Committee recommendations related to City actions may be presented at City Council meetings as individual agenda items or action minutes.

Recommendations to City Council should always be a formal action of the Committee, i.e. by a motion and vote. While recommendations may not always be acted upon, Committees have the duty to advise on policies or issues as the law directs.

Committee responsibilities (i.e. powers and duties) are more specifically set forth in the OMC and included in Appendix E.

Most Committees function in policy advisory mode, which is a quasi-legislative responsibility. This includes, for example, recommending changes to the OMC, if within the Committee's jurisdiction.

Committees may also function in a hearing mode, from time to time, which is a quasi-judicial responsibility. This includes granting permits and hearing appeals, pursuant to the OMC. The latter responsibility requires decisions supported by evidence presented at the hearing, which has been entered into the formal record. Those Committees are:

- Planning Commission
- Building Appeals Board
- Historic Preservation Commission

Committees may also perform additional duties as assigned by Council.

5. Individual Roles

Members

The primary role of all Committee members is to attend meetings and be prepared to discuss and vote on agenda items. If unable to attend a committee meeting, a member should notify the Committee Chair as soon as practical.

Officer Elections

Committees must elect a Chairperson, or Chair, Vice Chair, and Secretary to serve a one-year term. Staff liaison assumes responsibility for minutes if the Secretary is unable to do so, or if no Secretary is appointed.

Committee members may nominate themselves or any other member; no second is required. Once nominations are complete, a vote on the nominees in the order of nomination is taken.

Each voting member of the Committee shall have one vote. The nominee receiving votes from a majority of the members in attendance shall be declared the winner. If no member receives a majority, the process shall be repeated, except in the event of a tie between the top two vote-getters, in which case a run-off shall be held.

The member nominated as Chair assumes the office of Chair immediately.

Using the same procedure, the Chair conducts nominations and voting for a Vice Chair. If the Committee decides to appoint a Secretary, then the Chair shall conduct nominations and voting for a Secretary.

Chairperson

The Chair has responsibility for:

- Presiding over meetings, i.e. meeting protocol and recognizing when others may speak
- Setting the agenda
- Calling special meetings (if staff resources are available)
- Alerting Vice Chair, council liaison, and staff liaison of their upcoming absence
- Signing Committee documents
- All Committee recommendations to City Council
- Appearing before City Council on behalf of the Committee
  The Chair may only speak on behalf of the committee on a topic where an action was approved by a vote of the Committee.

Vice-Chair

The Vice-Chair assumes the Chair's duties in their absence. The Vice-Chair shall succeed the Chair if the Chair vacates office before the term is completed and shall serve the unexpired term. A new Vice-Chair shall be elected at the next regular meeting or as soon thereafter as practical.

Secretary

If the Secretary is appointed by the Committee, the Secretary is responsible for meeting minutes to be included in the agenda packet at the next meeting.

Staff liaison assumes responsibility for minutes if the Secretary is unable to do so, or if no Secretary is appointed.

Action minutes, which do not include commentary, are recommended.

Ad Hoc Committees

Ad hoc committees may be formed by Committee vote to accomplish a specific goal within a given timeframe. Ad hoc committee membership must be less than the quorum of the Committee. When appropriate, staff and public may assist ad hoc committees but are not members of the ad hoc committee. Ad hoc committees should give regular reports on the progress of their specific goal.

Staff Liaisons

Staff is assigned to Committees by a Department Head or City Manager to facilitate the Committee in accomplishing its objectives. Such support does not always translate into attendance at the meetings; written reports or interaction with the Chair prior to the meeting may suffice.

Staff is responsible for:

- Agenda packet preparation and meeting noticing, i.e. posting agendas. Staff may assist the Chair with meeting protocol as needed. If no secretary is appointed, staff may prepare committee minutes.
- Posting meeting videos and maintaining the Committee's webpage and ensuring it is up to date
- Providing access to the Council Chambers and the capability to conduct meetings with online (remote) public participation.
- Notifying Council liaison and City Manager of meeting cancellation.

Staff may inform the Committee of relevant City activities, identify issues within the Committee's purview, provide advice and assist in communications with a Department Head, the City Manager, or City Council.

Staff may consult with City management regarding work suggested by the Committee. Staff liaisons report to the City Manager/their Department Head and receive direction from those individuals. Committees do not have authority to direct staff to complete tasks or give staff assigned projects. Committee members are expected to communicate with respect and in a professional manner to staff.

City Attorney

The City Attorney's Office is available to provide legal counsel to Committees when present at Committee meetings. Legal questions for the City Attorney's Office must be sent to the Committee's staff liaison. Where appropriate, staff will escalate legal issues on behalf of a Committee to the City Attorney's Office.

The City Attorney's Office will direct any responses to the Committee's staff liaison. The City Attorney's Office will not communicate with Committee members directly except in very limited instances.

Council Liaisons

A Council liaison for each Committee is assigned by the City Clerk on a quarterly basis based on a rotation schedule.

The Council liaison may facilitate the Committee in accomplishing its objectives through the following:

- Provide announcements of City actions and activities
- Answer questions
- Assist the Chair with understanding City processes and city regulations.
- Assist Chair to communicate committee actions and recommendations to City Council.
- Provide Chair with counsel as needed.

The Council liaison must not:

- Participate in Committee discussions
- Influence Committee decisions
- Except in unusual circumstances, interrupt the meeting

Note that Council liaisons, as Councilmembers, may later be required to review and act on Committee decisions or recommendations.

6. Committee Meetings

Meeting Types

All Committee meetings are governed by the Ralph M. Brown Act (Brown Act), California Government Code §54950 *et seq.*

Regular Meetings
Regular meetings shall be held at a regular date, time and place, which may be specified in the OMC. Regular meetings may be rescheduled with posting of a cancellation notice and notification of a Special Meeting.

Meetings may be cancelled by either the Chair or Staff liaison. Reason(s) for cancellation shall be promptly sent by staff to Council liaison, Mayor, and City Manager.

Lack of a quorum at a meeting (majority of appointed members) requires meeting cancellation.

Special Meetings
Special meetings are those meetings held outside the regular meeting date and time. Special meetings may be held at any time upon the call of the Chair, a majority of Committee members, or City Council, followed by noticing as required by law. Special meetings may be called to meet deadlines, conduct study sessions or workshops, or when quorum was not met for a regular meeting.

Serial Meetings – Prohibited
Serial meetings occur when Committee members meet or discuss matters sequentially in pairs or small groups. The combined effect of sequential, or serial, meetings may inappropriately be a meeting of a quorum of Committee members. For example, if a member of a 7-member Committee speaks to more than two other members, it may constitute a serial meeting.

Inadvertent use of email, careless use of the "reply all" function, indiscriminate forwarding of messages, forwarding messages without deleting early text histories, continuing discussion from a prior meeting via email, etc. are all poor practices that can result in serial meetings. In addition, engaging in a discussion of City business on social media can lead to a serial meeting.

Serial meetings are a violation of the Brown Act. Further, Committee members are subject to FPPC investigation in the event complaints are filed.

One-On-One Meetings; Ex Parte Communications
Committee members may meet with constituents individually, in small groups or other informal settings. When the Committee acts on an issue in a quasi-judicial capacity, the member shall report on any such ex parte communications at the beginning of deliberations related to the subject of the decision. Information learned in these separate meetings must be divulged into the hearing record or must be excluded from the basis for considering any quasi-judicial decision.

Noticing and Venue

Noticing
All Committee meetings must comply with the Brown Act.

Agenda packets for regular and special meetings shall be provided:

- At City Hall.
- On the City's website.
- By subscription to the City's City Council Agenda mass email distribution list.

In addition, if the meeting is held somewhere other than at City Hall, the agenda shall be posted at that facility, in a location accessible by the public.

The agenda packet shall be posted a minimum of 72 hours prior to regularly scheduled meetings. Special meeting agendas shall be posted a minimum of 24 hours prior to the meeting. Meeting cancellations or meeting continuances shall be posted. Agenda materials shall be available to the public in attendance at meetings.

Venue

Committees meet in either at City Hall Chambers and occasionally at Kent Hall Chambers. These meeting venues are open to the public and meet the Americans with Disabilities Act standards, which is required under the Brown Act.

Attendance

Members of a Committee shall attend in person unless arrangements are made in advance for attendance by teleconference. The rules for meeting attendance by teleconference are set forth in Appendix A and Government Code Section 54953 which is in effect until January 1, 2026 at which time the Committees will be notified of any changes in procedures for attendance by teleconference.

If a Committee member wishes to attend a meeting by teleconference, the member should promptly contact the City Clerk who will coordinate with the City Attorney to determine if teleconference attendance is permissible and, if so, the procedure to arrange for teleconference attendance.

Quorum

There is no meeting of the Committee unless a quorum of the Committee is present. If less than a quorum attends, any discussion by that group is characterized as "A Committee of the Whole", but no record is made of this occurrence, and no decisions can be made.

A quorum consists of a majority of the Committee's members. For example, on a 6 or 7-member Committee, the quorum is 4. A vacancy reduces the number of voting member positions. For example, if a 7-member Committee has 2 vacancies, it has 5 voting member positions, and the quorum is 3 or more present.

Agenda

Committee meeting agenda format is the same as for Council agendas. Agenda report examples may be found in City Council Meeting agenda packets.

Establishing the agenda is the Chair's responsibility with input from staff and other Committee members. When an agenda issue arises the Council liaison, Staff liaison, and Chair should meet to resolve it.

The City Council may add items to a future Committee meeting agenda for consideration.

The recommended order on the agenda should follow this order, making exceptions where appropriate for Committees, which is:

- Roll Call
- Absences
- Pledge of Allegiance
- Moment of Silence (when appropriate due to circumstances)
- Approval of the Agenda
- Presentations
- Public Hearings
- Discussion Items
- Reports from Committee Members
- Reports from Staff
- Reports from the Council Liaison
- Proposal for Future Agenda Items
- Adjournment

The agenda must include information adequate to advise the public of the business to be considered. Agenda reports should include:

1. Subject;
2. Author;
3. CEQA analysis;
4. Recommended action;
5. Written discussion of the topic including background information, justification of the recommended action and financial impact.

Although the Brown Act permits agendas without a written discussion, i.e. stating 'oral report', this is a poor practice and is strongly discouraged.

Unspecified topics such as "miscellaneous" or "new business" are not permissible. New topics raised during public comment, or by any Committee member announcement shall not be discussed at that meeting but may be placed on a future agenda.

Minutes

Minutes use the same format as the meeting agenda and use the "action minutes" format, recording only the motions and actions of the Committee. This is consistent with Council minutes format. Minutes are not to be narrative or verbatim in format or style, and do not attempt to interpret intent of individual discussion. The video archives of all recorded meetings are provided for that purpose and record.

Such "action minutes" typically include findings or a reference to the findings for quasi-judicial actions, and any appropriate attachments, and shall include a record of the vote for all actions. The draft minutes of all meetings shall be included in the next agenda packet for acceptance by the Committee. Authorized minutes are signed by the Chair and shall be filed with the City Clerk for inclusion in the packet for the next City Council meeting.

Parliamentary Rules

Committees shall be guided by Rosenberg's Rules of Order.

- *Getting the floor.* Every member desiring to speak shall address the Chair and, only upon recognition by the Chair, confine contributions to the matter at hand, avoiding all indecorous language and personal attacks.

In general, a member may not interrupt the speaker except for the following reasons:

- *Privilege.* The proper interruption would be: "Point of privilege." The Chair would then ask the interrupter to, "State your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort or amplification of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.

- *Order.* The proper interruption would be: "Point of order." Again, the Chair would ask the interrupter to, "State your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting; for example, if the Chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

- *Appeal.* If the Chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the Chair, "I appeal the ruling of the Chair." If the motion is seconded and, after debate, if it passes by a simple majority vote, then the ruling of the Chair is deemed reversed.

- *Withdraw a motion.* During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn; and any other member may make the motion, once recognized.

Rules of Testimony

No person or member shall address the Committee without permission from the Chair. All comments shall be addressed to the Committee as a whole and shall not be addressed to individual members of the Committee, members of the public or staff.

It is helpful (though not required) for speakers to state their name in order that the secretary may identify them in the minutes of the meeting. The Chair may limit public speakers to three minutes or less depending on the number of speakers and length of agenda.

Consideration and Action on an Agenda Item

The agenda constitutes the road map for the meeting. Most agenda items can be handled with the following 4-step process.

1. Presenting Item
   a. Opening Item – The Chair should announce the agenda item number and subject. The Chair should then announce any special procedures to be followed (e.g., if the item is a quasi-public hearing). This is also when members would announce their conflict of interest, if any exists, recuse themselves, and leave the room.
   b. Hearing the Report – The Chair should invite the appropriate people, typically City staff, to report on the item. The Chair may provide an opportunity for committee members to ask any clarifying questions of the person providing the report. This is not preferred as questioning tends to segue into position statements before public input is taken, which is inconsistent with open meeting principles.

2. Asking for Public Input – The Chair opens the meeting to public input. The Chair may limit speakers time, as described above. A response to public comment, if appropriate, should not be provided until after public comments are finished.

3. Considering the Item—The Chair requests Committee deliberation. Member deliberation would include questions of the person(s) making the report or others with relevant knowledge, alternatives to the recommendation, additional considerations not previously stated, additional relevant facts and opinions. Time committed to deliberation should be adequate to allow the sense of the Committee to emerge.
4. Deciding – The Committee decides by a motion and voting. (See Appendices B Motions and C Voting.) For all action items, the Chair should invite a motion from the members. No motion is made if the agenda item is "receive the report" unless the committee wishes to address recommended actions contained within the report.

Once a vote is taken discussion of the item ends.

Meetings versus Hearings

A public meeting is generally defined as a meeting in which business is conducted by a public body. A public hearing is a special type of public meeting for the purpose of the governing body accepting public comment and testimony on local legislation or a quasi-judicial matter.

For public hearings, there are additional guidelines. After receiving the staff report, the Chair opens the public hearing and accepts testimony in the following order:

1. The applicant or proponent speaks.
2. Opponent speaks.
3. Rebuttal and surrebuttal may be allowed, at the sole discretion of the Committee.
4. Public comment is heard.

The Chair shall then close the public hearing.

The public comment portion of the public hearing may be reopened before voting on the item if a new issue is raised. It is not necessary to re-open a public hearing to ask questions of the project applicant. If the public hearing is reopened, all interested parties may be heard, but the Chair can limit the input to the new issues and can further limit the time per comment.

Courtesy and Decorum

Meetings should take place in an environment where members and the public can freely express their views, i.e. with politeness and respect. The Chair should encourage discussion that focuses on the item in question, not on the personalities of members, the public, or off topic. The Chair must protect the rights of the public to speak at the appropriate time.

Pursuant to Government Code § 54954.3 and the First Amendment of the United States Constitution, the Chair shall not prohibit public criticism of the policies, procedures, programs, or services of the city, or of the acts or omissions of the committee.

A member's use of electronic communication devices during a meeting may lead to the public's perception that the member is not paying attention to or receiving private information. For these reasons a member's use of electronic communication devices (i.e., cell phones, tablets, laptop computers), other than for the purpose of (1) accessing agenda materials, (2) facilitating ADA access, (3) using teleconferencing software or (4) an emergency is prohibited.

Disruption of Meetings

1. Disruption by a Group of Persons

Pursuant to Government Code § 54957.9, in the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible, and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the Chair may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this Section. After the meeting room has been cleared, the Chair may readmit an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

2. Disruption by an Individual Person

Pursuant to Government Code § 54957.95, the Chair may cause the removal of any individual for disrupting the meeting subject to the following rules:

(1) Prior to removing an individual, the Chair shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal.

(2) The Chair may then cause the removal of the individual if they do not promptly cease their disruptive behavior.

(3) “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 § 54954.3 or any other law. (B) Engaging in behavior that constitutes use of force or a true threat of force.

(4) “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.

(5) If there has been a use of force or a true threat of force, there is no obligation for the Chair to provide a warning to the individual before causing the individual to be removed from the meeting.

Public Records

Materials provided to Committee members at a public meeting must be made available for inspection and reproduction by the public. Exemptions from disclosure apply, but are narrowly applied (e.g., attorney/client, drafts, pending litigation, personnel files).

Communications by Committee members through social media posts, emails and text messages may be subject to the City’s Retention Schedule and are disclosable under the Public Records Act.

Committee meetings shall be recorded. Current practice is video recordings. The recording and minutes are retained in accord with the City Records Retention Schedule, and are available online.

Adjournment

The Chair adjourns the meeting after all agenda items are completed. No vote is taken. In the event there is insufficient time to hear all items the Committee may adjourn its meeting to a certain hour on another day. A specific date, time and place shall be set by the Committee, as part of the motion to adjourn.

7. Actions taken by Committees

Committees may perform action in different ways. Most commonly, formal action is taken by establishing a quorum, consideration of a motion and voting. Most actions require a vote by a majority of the appointed members unless a super-majority vote is required.

Informal actions

Informal actions (i.e. no vote required) generally take the form of the Chair giving direction after input from other Committee members. Informal actions would include suggesting to or requesting information from staff. Another example is suggesting that a Committee member report on a future agenda topic.

Formal actions

All formal actions must be listed in the agenda and require a motion and a vote in the affirmative. Formal actions include:
Agenda approval

- Recommendations to City Council
- Creation of an Ad hoc committee
- Continuing an agenda item to a future date
- Permit approval
- Appeals

Motions

Motions are the vehicles for decision making, i.e. taking formal actions. As indicated above, a motion should be introduced on a matter after general information is shared, options have been identified, and members share their opinions and seek to persuade. The Chair shall ensure that all motions are clearly stated and commonly understood before allowing further deliberations and voting.

Motions - See Appendix B

Voting - See Appendix C

Deciding to Move on

Items may be continued by Committee vote to a subsequent time for the following types of reasons:

- The Committee requires additional information during the meeting.
- New information or issues come to light during the meeting that need further study.
- Other reasons deemed appropriate and substantial by the Committee.

In addition, a Committee hearing (e.g., Planning Commission and the Building Appeals Board) may continue an item when:

- The applicant cannot appear at the meeting and has requested that the item be continued.
- The application is revised by the applicant during the meeting.
- The Committee requests that the application be revised.

When Action Is Necessary

In certain circumstances—a permit application, for example— the lack of any action is not acceptable (e.g., an application must ultimately be approved or denied) due to deadlines imposed by the Permit Streamlining Act, the Federal Communications Commission, or other laws. There are three primary options here:

1. *Continuing the item*. This is often undertaken if one or more members of the body are absent or if new information can be developed. Continuance can also provide the applicant with time to consider options, develop a project more likely to receive approval, etc. Continuance ordinarily is undertaken with concurrence of the applicant, but concurrence is not required.

2. *Technically denying the application*. This option is based on the philosophy that, for a project that has been proposed, approval requires a majority of members to vote in favor. Anything less than the required majority is thus considered a denial. One option under "technical denial" is to allow any applicant or other party to appeal the matter (assuming an appeal would otherwise have been available) on the grounds that the matter was "deemed denied." This option avoids the need for the body to take further action (e.g., if the body is unable to achieve a majority vote to forward the matter to the next higher body)

3. *Denying the application without prejudice*. This option may, in some situations, require at least one member of the body to switch their vote, in order to vote to deny for procedural reasons only. Such reasons should be stated in the motion, so the record is clear. It allows the applicant to either: a) appeal to the next higher body; or b) resubmit the same project or a modified project reflecting Committee or City input, without paying fees, waiting a minimum number of months, etc. (such a delay could be for any number of possible reasons, including awaiting turnover on the Committee).

Appeals

The decisions of the Planning Commission may be appealed to the City Council. The process for appeal of a Planning Commission decision are outlined in OMC Div. 10-1 Art. 9.

A decision of the Building Appeals Board must be commenced in an appropriate court of law not later than the ninetieth (90th) day after the date that the decision becomes final. (see OMC § 9-1.215).

8. Compliance with Federal, State and Municipal Laws

Committee members are representatives of the City and have a duty to represent the City to the best of their ability, and to take those actions that the member believes are for the benefit of the City as a whole.

Members are expected to comply with all applicable federal, state and municipal laws as applied to their Committee responsibilities.

Committee members have the following ethical duties:

- Duty of Loyalty
  Committee members have an absolute obligation to put the public's interest before their own direct or indirect personal interests. Members breach this obligation when they benefit at the public expense. Prohibited benefits can be financial (such as participating in decisions that favorably impact a member's business, property, or investments), career-related (such as using public office and/or public resources to obtain future employment or political position), or personal such as benefits to family members or close associates. Conflict of interest requires recusal.

- Duty of Due Diligence
  The duty of care requires that the Committee member competently and faithfully execute the duties of the office. Examples of breach of this duty include failure to attend meetings, failure to investigate, failure to engage in the deliberative process, and failure to vote.

- Duty to Avoid Bias
  Committee members have a duty to represent all of their constituents fairly. This means that they must overcome any inherent bias that they possess.

Each member shall file on a timely basis all appropriate Fair Political Practices Commission (FPPC Form 700) reports which can be obtained online or through the City Clerk. The City's Conflict of Interest Code be requested from the City Clerk.

Under the Levine Act, no member with the power to make decisions or recommendations may accept, solicit, or direct a contribution over $500 while a proceeding involving a license, permit, or other use entitlement is pending and for 12 months after a final decision is rendered, from either: (1) a party to the proceeding or their agent, or (2) a participant to the proceeding or their agent if the member has reason to know that the participant has a financial interest. The Levine Act only applies to Committee members running for elected office. This information is included for your awareness.

If a member has received such a contribution within the preceding 12 months, that fact must be disclosed on the record of such proceedings before rendering any decision. If a member willfully or knowingly received such contribution within the preceding 12 months, the member may not participate in the decision-making of that proceeding or use their position to influence such decision. Note that these requirements apply to members that participate in proceedings as well as those running for office. For more information, please review the California Fair Political Practices Commission website at https://www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html.

Each member shall complete required AB 1234 ethics training in a reasonable time upon appointment and repeat this training at least biannually. The City Clerk should be notified upon completion. See Appendix D – Training for more information.

Each member shall also complete sexual harassment prevention training in a reasonable time upon appointment. The state mandate for local agency official sexual harassment prevention training is commonly referred to as "AB 1661" training. A "local agency official" must receive at least two hours of sexual harassment prevention training within the first six months of taking office, and every two years thereafter, if the City provides any type of compensation, salary, or stipend to a local agency official of the City. (Gov. Code § 53237.1.) "Local agency official" means any member of a local agency (which includes a City) legislative body and any elected local agency official. (Gov. Code § 53237).

9. Copyrighted Works at Public Meetings

Purpose

The purpose of this policy is to protect the City of Ojai from the legal and operational challenges associated with the use of copyrighted materials during public meetings. Due to the increasing frequency of video content being taken down from platforms like YouTube due to copyright violations, and the significant staff time required to resolve these issues, this policy prohibits the use of copyrighted materials in public meetings to ensure compliance with copyright law and minimize disruption to City operations.

Scope

This policy applies to all public meetings held by the City, including but not limited to City Council meetings, advisory board meetings, planning commission meetings, and any other official public meetings that are recorded or streamed by the City.

Rationale for the Policy

Public meetings, including commission meetings, are typically recorded and streamed live online by video with audio on a video hosting service. Currently the City uses YouTube to stream and host videos of public meetings. The meeting video remains online for public viewing, allowing broader public access.

Presentations made at public meetings, including any materials, become part of the meeting's video record and the public records for the meeting.

Even where materials appear to be eligible for "fair use", it is ultimately up to the video hosting service and the copyright holder as to whether the copyrighted materials may be included in videos of the City's meetings and the video may remain accessible to the public.

When copyrighted audio is included in materials presented at public meetings, the videos are flagged and removed from public view by the video hosting service. While the City can appeal copyright claims, the City can be blacklisted for too many claims. If the City was blacklisted, it would be prevented from using YouTube, which is a free video hosting service. The City would then be required to find an alternate video hosting service, which may cause the City to incur costs to provide public access to meetings.

Defending a claim to the video service provider and copyright holder that audio is fair use requires significant staff time per claim and can result in increased legal costs, where the City Attorney's Office is involved. Furthermore, the City maintains discretion in what is added to its City Council and commission agendas. Where copyrighted material is played during public comment, City staff will mitigate the issue by redacting audio where feasible to allow for the City's public meetings to remain accessible to the public.

Policy Statement

To avoid the risk of video content being removed, blocked, or muted on platforms such as YouTube and to mitigate the burden on staff required to address these issues, the City generally prohibits the use of copyrighted audio, video, or music during public meetings. This means:

- Materials containing copyrighted audio will not be presented at the meeting, even if the person that submitted the materials has obtained a copyright license.
- Materials containing audio in the public domain only may be presented.
- Materials containing audio must be submitted to the Commission's Staff Liaison 10 days before the meeting date to review copyright status.

These rules apply, for example, to commission meetings reviewing application materials formatted as video with synchronized audio, or slide presentations with audio tracks.

The City will permit copyrighted material submitted with an application for grant funding, a competitive solicitation, or any entitlement (e.g., permit or license) to be presented at a public meeting if artistic merit or expression depends on copyrighted audio or a claimed fair use of copyrighted audio. In these limited circumstances, materials should be submitted in advance of the 10 day period before the meeting whenever possible for staff to attempt to resolve potential copyright infringement issues.

10. Reference Materials

Committees perform best when members are knowledgeable in their area of responsibility. Thus, members are encouraged to become familiar with pertinent materials, which may be found on the Committees' webpage and departmental webpages.

Examples below.

- Planning Commission – General Plan, Housing Element, OMC Title 10
- Building Appeals Board – The California Building Code; OMC Title 9
- Historic Preservation Committee – General Plan, OMC Ch 4-8, Secretary of the Interior's Standards for the Treatment of Historic Properties
- Parks and Recreation Board – OMC, General Plan, Recreation Department policies, Master Fees and Charges
- Arts Commission – OMC Ch. 4-16 Art. 2

Appendix A – Meeting Attendance by Teleconference

If and when a Committee member wishes to attend a meeting by teleconference (i.e., remote attendance), then the Committee member should contact, as soon as possible, the City Clerk or Staff Liaison who can consult with City Attorney if necessary. The rules for teleconference attendance at a Committee meeting by a member of the Committee are set forth in Government Code Section 54953, which specifies four types of teleconference attendance: traditional, just cause, emergency circumstances, and during a proclaimed emergency.

In the event of a proclaimed emergency by the California Governor that allows for remote participation (e.g., COVID pandemic), the City will distribute teleconference rules and procedures to all legislative bodies. Those rules and procedures do not apply to a local emergency declared by the City or County.

Charts are provided on the next pages with the rules and procedures for traditional, just cause, and emergency circumstances teleconference attendance, which apply from January 1 – December 31, 2025.

	Traditional Teleconferencing	**Just Cause Teleconferencing**	**Emergency Circumstances Teleconferencing**
Qualifying Circumstances	A member may choose to teleconference for any purpose during any meeting.	A member may teleconference if they have any of the following circumstances that requires them to participate remotely: • childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner; • a contagious illness; • a need related to a physical or mental disability that isn't otherwise accommodated; • travel while on official business of the City or of another state or local agency; or • an immunocompromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely.	A member may teleconference if they have one of the following circumstances: • a physical or family medical emergency that prevents them from attending the meeting in person.
Limit on Number of Times a Member May Teleconference	None.	Members may participate remotely for just cause a maximum of two meetings per calendar year. Members are also limited to participating remotely in a combined total of five (5) meetings per year for either just cause or emergency circumstances. Example: A member has participated remotely in two meetings for just cause. They may not participate in further meetings that year for just cause, but may participate in three more meetings remotely for emergency circumstances.	No limit on participating remotely for emergency circumstances alone. But, members are limited to participating remotely in a combined total of five (5) meetings per year for either just cause or emergency circumstances. Example: A member has participated remotely in two meetings for just cause. They may not participate in further meetings that year for just cause, but may participate in three more meetings remotely for emergency circumstances.

	Traditional Teleconferencing	**Just Cause Teleconferencing**	**Emergency Circumstances Teleconferencing**
Procedures to Authorize Remote Participation	No requirements that the legislative body authorize any member's remote participation. *NOTE: A member should notify the Clerk as soon as possible if they intend to participate via teleconferencing for noticing and technology purposes.*	For teleconferencing to be authorized: • Member must inform the body ASAP (could be at the start of the meeting) • Member must provide a general description of the circumstances justifying remote participation • At start of meeting, member must state whether anyone 18 years of age or older is in the room with them and general nature of their relationship • The body doesn't need to take formal action to authorize remote participation (i.e., no voting is required) *NOTE: A member should notify the Clerk as soon as possible if they intend to participate virtually for noticing and technology purposes.*	For teleconferencing to be authorized: • Member must ask the body to participate remotely as soon as possible (separate request for each meeting), and the body must take action to approve the request (i.e., the body must vote) • Member must provide a general description of the circumstances (generally not to exceed 20 words, and it is not required to include medical diagnosis or disability or private medical information exempt under law) • At start of meeting, member must state whether anyone 18 years of age or older is in the room with them and general nature of their relationship • The body can take action at the earliest opportunity. If there isn't enough time to include an item on the agenda, the body may approve it by a majority vote at beginning of the meeting after publicly identifying the request *NOTE: A member should notify the Clerk as soon as possible if they intend to participate virtually for noticing and technology purposes.*

	Traditional Teleconferencing	**Just Cause Teleconferencing**	**Emergency Circumstances Teleconferencing**
Notice and Agenda	Each teleconference and in-person location must be identified in the meeting's notice and agenda. Agendas must be posted at each teleconference and in-person location within the legally required timeframes. The agenda must provide the opportunity for members of the public to access each in-person and teleconference location and to provide public comment directly at each in-person and teleconference location. ***NOTE****: The Clerk's Office must receive confirmation that the correct agenda has been posted at each teleconference location within the posting requirement deadline. Photo proof would be best.*	The meeting agenda must notify the public of the time and single physical location at which the in-person meeting is being held. The agenda must identify and include an opportunity for the public to attend and address the body directly via a call-in option, an internet-based option, and in-person at the meeting.	The meeting agenda must notify the public of the time and single physical location at which the in-person meeting is being held. The agenda must identify and include an opportunity for the public to attend and address the body directly via a call-in option, an internet-based option, and in-person at the meeting.
Quorum Participation	No limit on how many members may participate via teleconferencing, so long as at least a quorum of the members participate from locations within the body's jurisdiction.	At least a quorum of the members must participate in-person from a single physical location identified in the agenda which is open to the public and within the jurisdictional boundaries of the body.	At least a quorum of the members must participate in-person from a single physical location identified in the agenda which is open to the public and within the jurisdictional boundaries of the body.

	Traditional Teleconferencing	**Just Cause Teleconferencing**	**Emergency Circumstances Teleconferencing**
Public Access and Public Comment	Each teleconference location must be accessible to the public. Members of the public must be able to access the meeting and address the legislative body at each teleconference and in-person location identified on the agenda. ***NOTE****: Even if the teleconferencing member drops off the meeting, the teleconference location must remain accessible to the public for the duration of the meeting, as noticed.*	The legislative body must provide to the public a way to remotely hear, visually observe, and remotely address the body in real time. This can be via a two-way audiovisual platform and/or a two-way telephonic service and a live webcasting of the meeting. The public must have an opportunity to attend and address the body directly via a call-in option, an internet-based option, and in-person at the meeting. The body may not require the public to submit comments prior to the meeting; the public must have an opportunity to address the body and offer comment in real time.	The legislative body must provide to the public a way to remotely hear, visually observe, and remotely address the body in real time. This can be via a two-way audiovisual platform and/or a two-way telephonic service and a live webcasting of the meeting. The public must have an opportunity to attend and address the body directly via a call-in option, an internet-based option, and in-person at the meeting. The body may not require the public to submit comments prior to the meeting; the public must have an opportunity to address the body and offer comment in real time.
Teleconference and/or in-person meeting locations	At least a quorum of members must participate from locations (which must be publicly noticed) within the body's jurisdictional boundaries.	The teleconference location of the member participating under a just cause or emergency circumstance does not need to be disclosed or fall within a specific jurisdictional area. The in-person meeting location must be within the jurisdictional boundaries of the legislative body as noticed.	The teleconference location of the member participating under a just cause or emergency circumstance does not need to be disclosed or fall within a specific jurisdictional area. The in-person meeting location must be within the jurisdictional boundaries of the legislative body as noticed.

	Traditional Teleconferencing	**Just Cause Teleconferencing**	**Emergency Circumstances Teleconferencing**
Technology Requirements	The member participating remotely may appear via audio or video technology, or both.	The member participating remotely must appear via both audio and visual technology (i.e., they must be on videoconference). The legislative body must provide to the public a way to remotely hear, visually observe, and remotely address the body in real time. This can be via a two-way audiovisual platform and/or a two-way telephonic service and a live webcasting of the meeting. In the event of any technology disruption, the body shall take no further action on items on the agenda until public access to the meeting is restored.	The member participating remotely must appear via both audio and visual technology (i.e., they must be on videoconference). The legislative body must provide to the public a way to remotely hear, visually observe, and remotely address the body in real time. This can be via a two-way audiovisual platform and/or a two-way telephonic service and a live webcasting of the meeting. In the event of any technology disruption, the body shall take no further action on items on the agenda until public access to the meeting is restored.
Voting	All votes must be taken by rollcall during the entirety of the meeting.	This law is silent regarding the method of voting. *NOTE: the City may conduct votes via roll call for consistency during all teleconferenced meetings.*	This law is silent regarding the method of voting. *NOTE: the City may conduct votes via roll call for consistency during all teleconferenced meetings.*

Appendix B – Motions

The Chair usually initiates a motion by:

1. Inviting a member to make a motion: ‘‘A motion at this time would be in order;”
2. Suggesting a motion: ‘‘A motion would be in order that we approve and forward to the Council the annual report, as drafted;” or
3. Making the motion.

Once recognized, a member makes a motion by preceding the member’s desired approach with the words: “I move ...”. A typical motion might be: “I move that we accept the staff recommendation that...”

Often, a member will prefer a variant of the motion on the floor. They can ask the maker and seconder if they are willing to reword their motion. If they agree, the motion is amended.

If one or both is not amenable to the suggested rewording, a member may propose an amendment or wait until after the vote on the original motion and propose a different motion. Up to three principal motions—the basic motion and two amendments— may be considered at one time – in reverse order:

1. **The basic motion.** The basic motion proposes a decision for consideration. A basic motion might be: “I move that we create a two-member Committee to study this matter in depth.”
2. **The motion to amend.** A motion to amend proposes to change the basic motion under discussion. A motion to amend might be: “I move that the Committee focus on just two primary options.”
3. **The motion to amend an amendment.** A motion to amend an amendment proposes a further change to the motions under discussion. A motion to amend the amendment might be: “I move that one of the options for the Committee to analyze be to prohibit murals on wood-sided buildings.”

No further motion to address the substance of the matter is in order. (Incidental or privileges motions, which deal with procedural issues, may still be raised.) Each motion is subject to deliberation.
A motion to amend or to amend an amendment is at times labeled a “substitute motion.” Whether considered as an amendment or a substitute, such motions are handled the same.

When Multiple Motions Are before the Committee
When two or three substantive motions are on the floor (with each having been seconded) at the same time, the *first* vote resolves the *last* motion made. If the amendments deal with alternative approaches to the same question, and a majority votes to approve the third motion, the remaining motions are then moot, and action on the agenda item would be complete. If the third motion *fails,* the Chair then proceeds to consider the second motion.

If an amendment deals with a different aspect of the same matter, then the motions would be considered in turn, in reverse order (second amendment, first amendment, and original motion).

In action minutes, only the final motion or action is recorded.

Limits to Deliberation

While the basic rule of motions is that they are subject to discussion and debate, some exceptions limit debate on a motion. Examples of motions that are *not* debatable include:

- **A motion to adjourn.** This motion, if passed by simple majority, requires the body to immediately adjourn to its next regularly scheduled meeting.
- **A motion to recess.** This motion, if passed by simple majority, requires the body to immediately take a recess for the time set by the Chair.
- **A motion to fix the time to adjourn.** This motion, if passed by simple majority, requires the body to adjourn the meeting at the specific time set in the motion.
- **A motion to table.** This motion, if passed by simple majority, places the matter on "hold" and ends discussion of the item. The motion may state a specific time when the item shall return on the agenda, but it need not.

When these, or other incidental or privileged motions are made and seconded, the Chair must immediately call for a vote of the body without debate on the motion.

Most motions require a simple majority; but a few exceptions apply when the body limits a minority from acting on or discussing an item. These motions require a two thirds majority to pass:

- **End debate.** Members can end debate by "moving the previous question."
- **Motion to close nominations.** A motion to close nominations limits the right of a minority to nominate officers.
- **Motion to suspend rules.** This motion is debatable but requires a two-thirds vote to pass.

Division of a Motion

If a motion contains two or more divisible propositions, each of which is capable of standing as a complete proposition, the Chair may, and upon request of a member shall, divide the same. The Chair's determination shall be appealable by any member. For example, a motion to approve a project and waive applicant fees is divisible into two separate motions.

Withdrawal of a Motion

A motion may be withdrawn by the maker at any time prior to the vote, without the consent of the member seconding it. Any other member may choose to make the same motion.

Motion to Continue

The Committee may vote to continue items to a subsequent meeting for the following reasons:

- The Committee requires additional information during the meeting;
- New information or issues come to light during the meeting that need further study; or
- Other reasons the Committee deems "appropriate and substantial."

A motion to continue requires a majority vote for approval. This is also known as a motion to postpone and is amendable.

The Committee may continue a submitted application when:

- The applicant cannot appear at the meeting and has requested that the item be continued;
- The application is revised by the applicant during the meeting; or
- The Commission requests that the application be revised.

- Continuances ordinarily are undertaken with concurrence of the applicant, but concurrence is not required.

Motion to Reconsider

A motion to reconsider a vote is a motion limited in both the time it can be made and the person who can make it. A motion to reconsider an action taken by the Committee may be made on the same day as the meeting in which the motion to be reconsidered was decided, or the next business day if the session is more than one day. The motion must be made by a member who voted on the prevailing side but may be seconded by any member. For example, a person voting in the majority of a 4-3 vote for a motion to approve or deny an item (prevailing side) may make a motion to reconsider. If there is tie vote (3-3 and 1 absence), or if the motion fails (3 in favor, 2 against, 2 absent), then a motion to reconsider is not available as it only applies to actions taken by the Committee.

A motion to reconsider requires a second, is debatable, and is not amendable. If the motion to reconsider fails, it may not itself be reconsidered. Reconsideration may not be moved more than once on the same motion. If the motion to reconsider passes, the original matter is back before the Committee. The matter may be discussed, debated, and amended as if it were on the floor for the first time.

No member is prevented from making a motion to rescind such *action* at a subsequent meeting of the Committee, provided the agenda for that meeting includes the proposed action to rescind. Often such motions are used to make policy changes. The motion must be seconded, is debatable, and requires a majority vote.

Appendix C– Voting

Majority Voting Requirement
A affirmative vote of a majority of the total members of the Committee (excluding any non-voting members), on any item, for any action by the Committee, unless otherwise provided. For example, the majority of a fully constituted Committee is 4. In a 7-member body, a vote of 4-3 passes the motion. If there are 2 vacancies, and the total members are 5, then a majority is 3 members. Therefore, unless a super-majority is required, a simple majority vote determines whether each motion passes or is defeated. Proxy votes for absent members are not allowed.

Tie Votes
A tie vote means the motion fails. If one member is absent and the vote is 3-3, the motion fails. Tie votes may be reconsidered on motion by any member of the Committee voting aye or nay during the original vote. Before a motion is made on the next item on the agenda, any member of the Committee may make a motion to continue the matter to another date. Any continuance for this purpose suspends the running of any time in which action of the Committee is required by law.

Disqualification from Voting; Recusal
Committee members shall disqualify themselves from deliberation and voting on any matter before the Committee , prior to the Committee 's consideration of the matter, when there is a conflict of interest. A member may also choose not to participate due to personal bias or the appearance of impropriety.
Upon the Chair's announcement of an item, members must state that they are disqualifying themselves due to a conflict of interest, state the nature of the conflict (e.g., financial), and leave the room until the completion of that item.

If the number of members recusing themselves due to a conflict of interest disrupts the quorum, the "rule of necessity" allows the random selection of the fewest number of conflicted members to vote as is needed to enable a quorum to participate and reach a decision. For example, if 4 out of 7 Committee members are conflicted, the Committee may select one of the conflicted members to vote so as to have a quorum.

Abstentions
Abstentions are discouraged. Members should abstain from voting only due to lack of participation in an evidentiary proceeding before the Committee and their inability to review the record. In that instance, members will be recorded as absent for that item.

A member present for consideration of a motion who opposes the motion must vote against it. In the event of an abstention the abstainer in effect "consents" that a majority of the quorum of the members present may act for them. Thus, a member who abstains (for any reason other than lack of opportunity to review the record) is deemed to acquiesce in the action taken by the majority of members who voted. For example, on a 7-member Committee, if the vote is 3 in favor, 2 against, with 1 absence and 1 abstention, the motion is approved, since a quorum was present, and a majority of the total

[1] In certain circumstances, supermajority votes (majority + 1) are required: certain actions of Council, e.g., an urgency ordinance; zoning amendments by the Planning Commission.

membership is judged to have voted in favor. A 3-3 vote with one abstention means the motion fails as there is no majority.

Members who are silent during a voice vote shall have their vote recorded as an affirmative vote, except when individual members have stated in advance that they will not be voting.

Voting Methods. Most votes shall be by voice vote. The Chair asks those in favor to say, "Aye," and those opposed to say "No." The Chair then announces the result, naming any member(s) in dissent.

A roll call vote is required in the event of any member is attending virtually, with each member answering "aye" or "no" as their name is called by the staff liaison. The order of voting for roll call votes shall be random.

Recording of Votes. The results of the vote shall be announced immediately following the action as shown in the following example: "The motion passed 5-2, Brown and Smith voting no." The minutes of the Committee's proceedings shall show the vote of each member, including whether they were absent or failed to vote on a matter considered. For example,
Ayes:
Noes:
Absent:
Abstain:

Members may change their votes up to the time the vote is finally announced. After that, members may only change with permission of the Committee, which may be given by general consent; that is, by no member's objecting when the Chair inquires if anyone objects. If an objection is made, a motion may be made to grant the permission, which is debatable.

Appendix D – Training

Reimbursement

Committee Members may be reimbursed expenses for subject matter training if approved by the City Council. The City Council must approve reimbursement prior to a member incurring an expense.

Mandatory Ethics Training AB 1234

AB 1234, passed in 2014, codified at Government Code § 53235, requires many California state and local officials and employees to complete mandatory ethics training. It states:

(a) (1) If a local agency provides any type of compensation, salary, or stipend to a member of a legislative body, or provides reimbursement for actual and necessary expenses incurred by a member of a legislative body in the performance of official duties, then all local agency officials shall receive training in ethics pursuant to this article.

> (2) All local agency officials who are members of the governing board of a school district, a county board of education, or the governing body of a charter school shall receive training in ethics pursuant to this article, whether or not any member receives any type of compensation, salary, or stipend or reimbursement for actual and necessary expenses incurred in the performance of official duties.

(b) Each local agency official shall receive at least two hours of training in general ethics principles and ethics laws relevant to the official's public service every two years.

(c) If an entity develops curricula to satisfy the requirements of this §, then the Fair Political Practices Commission and the Attorney General shall be consulted regarding the sufficiency and accuracy of the proposed course content. When reviewing any proposed course content, the Fair Political Practices Commission and the Attorney General shall not preclude an entity from also including local ethics policies in the curricula.

(d) A local agency or an association of local agencies may offer one or more training courses, or sets of self-study materials with tests, to meet the requirements of this §. These courses may be taken at home, in-person, or online.

(e) A provider of training courses to meet the requirements of this article shall provide participants with proof of participation to meet the requirements of § 53235.2.

(f) A local agency shall provide information on training available to meet the requirements of this article to its local officials at least once annually.

AB 1234 applies to "members of a legislative body," which is defined as in the Brown Act, Government Code § 54952. It thus applies to members appointed to city boards and commissions.

AB 1234 does not specify a time period within which an official must take and complete the training. Where, as here, a statute does not impose a specific time requirement, the statute is deemed to require compliance within a "reasonable" time after assuming office and on before the expiration of the prior training every two years.

Appendix E – Powers and Duties

Planning Commission - OMC § 10-1.01 - § 10-1.05 (abbreviated)

The Planning Commission shall have the following powers and duties:

(a) To act in an advisory capacity in all matters pertaining to the development and modification of streets, parks, and public or private structures and buildings, housing, schools, grounds, vacant lots, and all other matters pertaining to the General Plan of the City, and to recommend to the Council plans for future growth, development, and beautification of the City;

(b) To advise and recommend to the Council plans for securing to the City and its inhabitants proper service of all public utilities, proper sanitation, and transportation facilities;

(c) To recommend to the Council approval, conditional approval, or disapproval of tentative maps of proposed subdivisions of land. The Council designates the Planning Commission as its advisory agency with respect to the design and improvement of proposed subdivisions. Every such map or plat shall, prior to its final approval or disapproval by the Council, be submitted to the Commission for action thereon;

(d) https://ecode360.com/print/44871967 - 44871967To do all things necessary, by majority vote, to carry out the provisions of Title 10 (including Conditional Use Permit requests, Variances, Concept Reviews, Design Review Permit requests, and Tree Permits), other applicable provisions of this Code, and the provisions of the CA Conservation and Planning Act (California Government Code Section 65006 et seq.), as amended from time to time;

(e) To perform such other duties and functions as may be delegated by the Council.

Historic Preservation Commission – OMC Ch. 4-8 (abbreviated)

The functions and powers of the Historic Preservation Commission shall be:

(f) *Evaluation*. The Historic Preservation Commission or Community Development Director may investigate any structure in the City which the Council or Planning Commission or Historic Preservation Commission has reason to believe should be declared an historical landmark, historic district, structure of merit, or point of historical interest;

(g) *Inventory*. To maintain a current list of all historical, cultural, and natural landmarks, historic districts, structures of merit, and points of historical interest which have been declared as such by the Council. This information shall be made available to the public;

(h) *Public hearings*. To hold public hearings for the purpose of identifying historical landmarks, historic districts, or points of historical interest, with such hearings held 10 days or more after the property owner has been notified by registered mail;

(i) *Recommendations*. If the conclusion of the Historic Preservation Commission is that an historical landmark, historic district, structure of merit, or point of historical interest does exist which meets the criteria established in this chapter and should be declared as such, the Historic Preservation Commission shall make its recommendation to the Council for timely deliberation within 90 days and send a copy of such recommendation to the property owner;

(j) *State registration.* The Historic Preservation Commission may recommend to the Council that the City apply to the California Office of Historic Preservation for State registration of landmarks, historic districts, or sites which have historical significance, which meet State registration criteria, and where the registration would assist in preservation. The Historic Preservation Commission may find that a landmark site of historic significance is significant for declaration as a State "point of historical interest" but does not warrant registration as a State "historical landmark." The Historic Preservation Commission shall investigate and recommend to Council the appropriate State registration;

(k) *Advise and assist property owners*. To advise and assist owners of landmarks and property or structures within historic districts on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, and on procedures for inclusion on the National Register of Historic Places;

(l) *Amendments*. To identify issues with this chapter and recommend to the Council consideration of amendments to this chapter when circumstances indicate; and

(m) *Develop guidelines*. To develop and recommend for Council adoption of specific design guidelines for the alteration, construction, or removal of landmarks or property and structures within historic districts;

(n) *Inform citizens*. To inform and educate the citizens of Ojai concerning the historic and architectural heritage of the City by publishing appropriate maps, newsletters, brochures, pamphlets, websites, and social media information, and by holding programs and seminars according to a workplan and budget authority approved by Council;

(o) *Markers*. To determine which designated landmarks, historic districts and points of historical interest shall be marked with uniform and distinctive markers;

(p) *Nominate landmarks*. To nominate landmarks and historic districts to the National Register of Historic Places as approved by Council, and to review and comment on any National Register nominations submitted to the Historic Preservation Commission upon request of the Mayor or Council;

(q) *Preservation of landmarks and points of historical interest*. To take the steps necessary to preserve such landmarks and points of historical interest not in conflict with the public health and safety consistent with City policies and protocols. Such steps may include the creation of civic and citizens' committees; the establishment of a private fund for the acquisition or restoration of declared landmarks and points of historical interest; and the recommendation that such declared landmarks and points of historical interest be acquired by a governmental agency where private acquisition is not feasible;

(r) *Review Mills Act agreements*. To review proposed initial and renewed Mills Act agreements and provide a recommendation to the Council regarding acceptance of Mills Act agreements, under Title 4, Chapter 9 of the Ojai Municipal Code;

(s) *Review Conservation Element of the General Plan*. To periodically review the Conservation Element of the General Plan and to recommend to the Planning Commission and the Council any amendments appropriate for the protection and continued use of landmarks or property and structures within historic districts;

(t) *Review proposed amendments, etc*. At the request of the Council or Planning Commission, review proposed zoning amendments, applications for permits, or applications for zoning variances that affect proposed or designated landmarks and historic districts. Review and comment within 30 days of submission for the public record of any and all historic resources reports prepared for any other development project requiring a design review permit, conditional use permit, development agreement, or other zoning code permit;

(u) *Rules and regulations*. To adopt such rules and regulations as are necessary to carry out the purpose and intent of this chapter;

(v) *Surveys*. To conduct surveys of potentially significant properties, structures, or sites in accordance with the workplan and budget approved by Council.

Building Appeals Board – OMC Section 9-1.214; 9-1.215 (abbreviated)

(a) There is hereby established in the City a Building Appeals Board consisting of five members to be appointed by the Mayor with the approval of the Council. The Building Appeals Board shall be the "local appeals board," the "housing appeals board," and the "board of appeals" as those phrases are defined and used in the California Building Standards Code or any other code under this title as the same may apply to the City of Ojai either by express adoption or by operation of law.

(b) Each member shall become knowledgeable in the California Building Standards Code and applicable ordinances of the City of Ojai. Members need to be residents of the City.

(c) The members of the Building Appeals Board shall be appointed for terms of four years and shall hold office until their successors have been appointed and qualified. A person who has been appointed to fill a vacancy shall hold office for the remainder of the unexpired term. Any member of the Board may be removed by the Mayor, subject to the approval of the Council. Members may be reappointed.

(d) The Board shall elect its chair and vice-chair from among its members and shall appoint a secretary who need not be a member of the Commission. Such officers shall be chosen for a period of one year. In the absence or disability of either the chair, vice-chair, or secretary, the Commission may designate a chair or secretary pro tempore.

(e) The Board shall meet when:

    (1) An appeal is filed pursuant to this chapter; or

    (2) The Building Official requests advisory comments regarding issues related to this chapter, such as the potential adoption of new codes, proposed code changes, or alternate methods and materials.

(f) Unless otherwise designated by the City Manager, the Building Official shall be the principal City staff liaison to the Board.

Arts Commission – OMC Ch. 4-16 (abbreviated)
The Commission shall exercise the powers reasonably necessary to perform and carry out its delegated responsibilities. The duties of the Commission include the following:

(a) Advise the Council on all matters pertaining to the arts in the community;

(b) Make recommendations to the Council concerning the resources and needs of the community on the subject of the arts, opportunities for participation of artists and performers in City-sponsored activities, and ways to encourage community involvement;

(c) Work cooperatively with City boards and commissions and other public and private organizations in promoting art and cultural activities within the City;

(d) Encourage public and private partnerships to assure the survival of the arts and artists in the City;

(e) Encourage the flow of art into the City and stimulate art and cultural activities among residents of the City;

(f) Review and evaluate submitted City art grant proposals and submit funding recommendations to the Council;

(g) Carry out the duties necessary to oversee the Ojai Public Arts Program as specified in Article 2 of this chapter; and

(h) Prepare and submit to the Council at least every two years a five year arts project plan. Prior to submission, the Arts Commission shall review all ongoing and future capital improvement and development projects for public art opportunities.

Parks and Recreation Commission – OMC Ch. 2-4 Art. 1 (abbreviated)
The Parks and Recreation Commission shall have the following powers and duties:

(a) To act in an advisory capacity to the Council on all matters pertaining to recreation programs and facilities. (Recreation facilities include, but are not limited to, parks, buildings, trails, bike paths and open space.)

(b) To become knowledgeable about the general field of recreation, the programs and facilities provided by other agencies and organizations within the area, and the needs of City recreation program participants and recreation facility users.

(c) To receive input from current and potential recreation program participants and recreation facility users regarding the recreation program and facility needs of the Community.

(d) To periodically review the Recreation Element of the General Plan and such master plans and facility plans as are deemed advisable, and make recommendations to the City Council.

(e) To periodically review recreation policies of the City, and make recommendations to the City Council.

(f) To participate in the annual review of the proposed budget as it relates to recreation programs and facilities, and make recommendations to the City Council.

(g) To participate in the annual review of the Five-Year Capital Improvement Plan as it relates to recreation facilities, and make recommendations to the City Council.

(h) To participate in the annual review of City fees as it relates to recreation programs and facilities, and make recommendations to the City Council.

(i) To make recommendations to promote participation in recreation programs and use of recreation facilities.

(j) To report fully to the public through the Council on all of the activities of the Commission at least once each year, and at such other times as may be required by the Council or requested by the Commission.

ATTACHMENT B

Government Code - GOV

TITLE 5. LOCAL AGENCIES [50001 - 57607]
(Title 5 added by Stats. 1949, Ch. 81.)

DIVISION 2. CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 55821]
(Division 2 added by Stats. 1949, Ch. 81.)

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

CHAPTER 9. Meetings [54950 - 54963]
(Chapter 9 added by Stats. 1953, Ch. 1588.)

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

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

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

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

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

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

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

54952.

As used in this chapter, "legislative body" means:

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

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

(c)

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

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

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

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

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

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

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

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

54952.2.

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

(b)

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

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

(3)

(A) Paragraph (1) shall not be construed as preventing a member of the legislative body from engaging in separate conversations or communications on an internet-

based social media platform to answer questions, provide information to the public, or to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the legislative body provided that a majority of the members of the legislative body do not use the internet-based social media platform to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body. A member of the legislative body shall not respond directly to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member of the legislative body.

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

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

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

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

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

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

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

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

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

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

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

(d) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

(Amended by Stats. 2020, Ch. 89, Sec. 1. (AB 992) Effective January 1, 2021. Repealed as of January 1, 2026, by its own provisions. See later operative version added by Sec. 2 of Stats. 2020, Ch. 89.)

54952.2.

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

(b)

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

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

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

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

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

(3) The attendance of a majority of the members of a legislative body at an open and publicized meeting organized to address a topic of local community concern by a person or organization other than the local agency, provided that a majority of the

members do not discuss among themselves, other than as part of the scheduled program, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

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

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

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

(d) This section shall become operative on January 1, 2026.

(Repealed (in Sec. 1) and added by Stats. 2020, Ch. 89, Sec. 2. (AB 992) Effective January 1, 2021. Section operative January 1, 2026, by its own provisions.)

54952.3.

(a) A legislative body that has convened a meeting and whose membership constitutes a quorum of any other legislative body may convene a meeting of that other legislative body, simultaneously or in serial order, only if a clerk or a member of the convened legislative body verbally announces, prior to convening any simultaneous or serial order meeting of that subsequent legislative body, the amount of compensation or stipend, if any, that each member will be entitled to receive as a result of convening the simultaneous or serial meeting of the subsequent legislative body and identifies that the compensation or stipend shall be provided as a result of convening a meeting for which each member is entitled to collect compensation or a stipend. However, the clerk or member of the legislative body shall not be required to announce the amount of compensation if the amount of compensation is prescribed in statute and no additional compensation has been authorized by a local agency.

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

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

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

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

54952.7. A legislative body of a local agency may require that a copy of this chapter be given to each member of the legislative body and any person elected to serve as a member

of the legislative body who has not assumed the duties of office. An elected legislative body of a local agency may require that a copy of this chapter be given to each member of each legislative body all or a majority of whose members are appointed by or under the authority of the elected legislative body.

(Amended by Stats. 1993, Ch. 1138, Sec. 7. Effective January 1, 1994. Operative April 1, 1994, by Sec. 12 of Ch. 1138.)

54953.

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

(b)

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

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

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

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

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

(D) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3.

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

(c)

(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) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision

(d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d)

(1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision 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. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

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

(e)

(1) The legislative body of a local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in either of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(B) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (A), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

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

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

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

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

(E)

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

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

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

(3) If a state of emergency remains active, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 45 days after teleconferencing for the first time pursuant to subparagraph (A) or (B) of paragraph (1), and every 45 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(4) This subdivision shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(f)

(1) The legislative body of a local agency may use teleconferencing without complying with paragraph (3) of subdivision (b) if, during the teleconference meeting, at least a

quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda, which location shall be open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction and the legislative body complies with all of the following:

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

(i) A two-way audiovisual platform.

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

(B) In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment.

(C) The agenda shall identify and include an opportunity for all persons to attend and address the legislative body directly pursuant to Section 54954.3 via a call-in option, via an internet-based service option, and at the in-person location of the meeting.

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

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

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

(2) A member of the legislative body shall only participate in the meeting remotely pursuant to this subdivision, if all of the following requirements are met:

(A) One of the following circumstances applies:

(i) The member notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the given meeting. The provisions of this clause shall not be used by any member of the legislative body for more than two meetings per calendar year.

(ii) The member requests the legislative body to allow them to participate in the meeting remotely due to emergency circumstances and the legislative body takes action to approve the request. The legislative body shall request a general

description of the circumstances relating to their need to appear remotely at the given meeting. A general description of an item generally need not exceed 20 words and shall not require the member to disclose any medical diagnosis or disability, or any personal medical information that is already exempt under existing law, such as the Confidentiality of Medical Information Act (Chapter 1 (commencing with Section 56) of Part 2.6 of Division 1 of the Civil Code). For the purposes of this clause, the following requirements apply:

(I) A member shall make a request to participate remotely at a meeting pursuant to this clause as soon as possible. The member shall make a separate request for each meeting in which they seek to participate remotely.

(II) The legislative body may take action on a request to participate remotely at the earliest opportunity. If the request does not allow sufficient time to place proposed action on such a request on the posted agenda for the meeting for which the request is made, the legislative body may take action at the beginning of the meeting in accordance with paragraph (4) of subdivision (b) of Section 54954.2.

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

(C) 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 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.

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

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

(i)

(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.

(j) For the purposes of this section, the following definitions shall apply:

(1) "Emergency circumstances" means a physical or family medical emergency that prevents a member from attending in person.

(2) "Just cause" means any of the following:

(A) A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. "Child," "parent," "grandparent," "grandchild," and "sibling" have the same meaning as those terms do in Section 12945.2.

(B) A contagious illness that prevents a member from attending in person.

(C) A need related to a physical or mental disability as defined in Sections 12926 and 12926.1 not otherwise accommodated by subdivision (g).

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

(3) "Remote location" means a location from which a member of a legislative body participates in a meeting pursuant to subdivision (f), other than any physical meeting location designated in the notice of the meeting. Remote locations need not be accessible to the public.

(4) "Remote participation" means participation in a meeting by teleconference at a location other than any physical meeting location designated in the notice of the meeting. Watching or listening to a meeting via webcasting or another similar electronic medium that does not permit members to interactively hear, discuss, or deliberate on matters, does not constitute remote participation.

(5) "State of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

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

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

(8) "Two-way telephonic service" means a telephone service that does not require internet access, is not provided as part of a two-way audiovisual platform, and allows participants to dial a telephone number to listen and verbally participate.

(9) "Webcasting" means a streaming video broadcast online or on television, using streaming media technology to distribute a single content source to many simultaneous listeners and viewers.

(k) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

(Amended (as amended by Stats. 2023, Ch. 534, Sec. 1) by Stats. 2024, Ch. 389, Sec. 1. (AB 2302) Effective January 1, 2025. Repealed as of January 1, 2026, by its own provisions. See later operative version, as amended by Sec. 2 of Stats. 2023, Ch. 534.)

54953.

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

(b)

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

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

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

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

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

(D) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3.

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

(c)

(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) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken.

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

(d)

(1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision 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. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

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

(e)

(1) The legislative body of a local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in either of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(B) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (A), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

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

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

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

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

(E)

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

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

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

(3) If a state of emergency remains active, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 45 days after teleconferencing for the first time pursuant to subparagraph (A) or (B) of paragraph (1), and every 45 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(4) This subdivision shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(f) The legislative body shall have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132),

and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the procedure for receiving and resolving requests for accommodation.

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

(h)

(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.

(i) For the purposes of this section, the following definitions shall apply:

(1) "State of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(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.

(j) This section shall become operative January 1, 2026.

(Amended (as amended by Stats. 2022, Ch. 285, Sec. 2) by Stats. 2023, Ch. 534, Sec. 2. (AB 557) Effective January 1, 2024. Operative January 1, 2026, by its own provisions.)

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

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

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

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

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

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

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

54953.5.

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

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

(Amended by Stats. 2021, Ch. 615, Sec. 205. (AB 474) Effective January 1, 2022. Operative January 1, 2023, pursuant to Sec. 463 of Stats. 2021, Ch. 615.)

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

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

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

(Added by Stats. 1981, Ch. 968, Sec. 29.)

54953.8.

(a)

(1) An eligible legislative body may use teleconferencing without complying with paragraph (3) of subdivision (b) of Section 54953 if the eligible legislative body complies with paragraphs (2) to (4), inclusive.

(2) An eligible legislative body may only use teleconferencing as described in this section after all the following have occurred:

(A) The city council for a city described in subdivision (c) considers whether to adopt a resolution to authorize eligible legislative bodies to use teleconferencing as described in paragraph (1) at an open and regular meeting.

(B) If the city council adopts a resolution described in subparagraph (A), an eligible legislative body may elect to use teleconferencing pursuant to this section if two-thirds of the eligible legislative body votes to do so. The eligible legislative body shall notify the city council if it elects to use teleconferencing pursuant to this section and its justification for doing so.

(C) Upon receiving notification from a legislative body as described in subparagraph (B), the city council may adopt a resolution to prohibit the eligible legislative body from using teleconferencing pursuant to this section.

(3) After completing the requirements in paragraph (2), an eligible legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

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

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

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

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

(E)

(i) An eligible legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (D), to provide public comment until that timed public comment period has elapsed.

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

(iii) An eligible legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (D), until the timed general public comment period has elapsed.

(F) At least a quorum of the members of the eligible legislative body shall participate from locations within the boundaries of the city in which the eligible legislative body is established.

(G) At least once per year, at least a quorum of the members of the eligible legislative body shall participate in person from a singular physical location that is open to the public and within the boundaries of the eligible legislative body.

(4) An eligible legislative body that holds a meeting pursuant to this subdivision shall do the following, as applicable:

(A) If the meeting is during regular business hours of the offices of the city council member that represents the area that includes the eligible legislative body, the eligible legislative body shall provide a publicly accessible physical location from which the public may attend or comment, which shall be the offices of the city council member who represents the area where the eligible legislative body is located, unless the eligible legislative body identifies an alternative location.

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

(b) The legislative body shall comply with all other requirements of Section 54953.

(c) As used in this section, "eligible legislative body" means a neighborhood council that is an advisory body with the purpose to promote more citizen participation in government and make government more responsive to local needs that is established pursuant to the charter of a city with a population of more than 3,000,000 people that is subject to this chapter.

(d) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

(Added by Stats. 2023, Ch. 605, Sec. 2. (SB 411) Effective October 8, 2023. Repealed as of January 1, 2026, by its own provisions.)

54953.9.

(a) As used in this section, "eligible legislative body" means a student body association organized pursuant to Section 76060 of the Education Code, or any other student-run community college organization that is required to comply with the meeting requirements of this chapter.

(b)

(1) An eligible legislative body may use teleconferencing without complying with paragraph (3) of subdivision (b) of Section 54953 if the eligible legislative body complies with paragraphs (2) to (4), inclusive.

(2) An eligible legislative body may only use teleconferencing as described in this section 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 legislative bodies to use teleconferencing as described in paragraph (1) 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 legislative body may elect to use teleconferencing pursuant to this section if two-thirds of the eligible legislative body votes to do so. The eligible legislative body shall notify the board of trustees if it

elects to use teleconferencing pursuant to this section and its justification for doing so.

(C) Upon receiving notification from a legislative body as described in subparagraph (B), the board of trustees may adopt a resolution to prohibit the eligible legislative body from using teleconferencing pursuant to this section.

(3) After completing the requirements in paragraph (2), an eligible legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

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

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

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

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

(E)

(i) An eligible legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (D), to provide public comment until that timed public comment period has elapsed.

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

(iii) An eligible legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (D), until the timed general public comment period has elapsed.

(F)

(i) At least a quorum of the members of the eligible legislative body shall participate from a singular physical location that is accessible to the public and is within the community college district in which the eligible legislative body is established.

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

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

(II) The person is under 18 years of age.

(III) The person is incarcerated.

(IV) 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.

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

(4) An eligible legislative body that holds a meeting pursuant to this subdivision shall do the following, as applicable:

(A) If the meeting is during regular business hours of the offices of the board of trustees of the community college district, the eligible legislative body shall provide a publicly accessible physical location from which the public may attend or comment, which shall be the offices of the board of trustees of the community college district, unless the eligible legislative body identifies an alternative location.

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

(c) The legislative body shall comply with all other requirements of Section 54953.

(d) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

(Added by Stats. 2024, Ch. 232, Sec. 2. (AB 1855) Effective January 1, 2025. Repealed as of January 1, 2026, by its own provisions.)

54954.

(a) Each legislative body of a local agency, except for advisory committees or standing committees, shall provide, by ordinance, resolution, bylaws, or by whatever other rule is required for the conduct of business by that body, the time and place for holding regular meetings. Meetings of advisory committees or standing committees, for which an agenda is posted at least 72 hours in advance of the meeting pursuant to subdivision (a) of Section 54954.2, shall be considered for purposes of this chapter as regular meetings of the legislative body.

(b) Regular and special meetings of the legislative body shall be held within the boundaries of the territory over which the local agency exercises jurisdiction, except to do any of the following:

(1) Comply with state or federal law or court order, or attend a judicial or administrative proceeding to which the local agency is a party.

(2) Inspect real or personal property which cannot be conveniently brought within the boundaries of the territory over which the local agency exercises jurisdiction provided that the topic of the meeting is limited to items directly related to the real or personal property.

(3) Participate in meetings or discussions of multiagency significance that are outside the boundaries of a local agency's jurisdiction. However, any meeting or discussion held pursuant to this subdivision shall take place within the jurisdiction of one of the participating local agencies and be noticed by all participating agencies as provided for in this chapter.

(4) Meet in the closest meeting facility if the local agency has no meeting facility within the boundaries of the territory over which the local agency exercises jurisdiction, or at the principal office of the local agency if that office is located outside the territory over which the agency exercises jurisdiction.

(5) Meet outside their immediate jurisdiction with elected or appointed officials of the United States or the State of California when a local meeting would be impractical, solely to discuss a legislative or regulatory issue affecting the local agency and over which the federal or state officials have jurisdiction.

(6) Meet outside their immediate jurisdiction if the meeting takes place in or nearby a facility owned by the agency, provided that the topic of the meeting is limited to items directly related to the facility.

(7) Visit the office of the local agency's legal counsel for a closed session on pending litigation held pursuant to Section 54956.9, when to do so would reduce legal fees or costs.

(c) Meetings of the governing board of a school district shall be held within the district, except under the circumstances enumerated in subdivision (b), or to do any of the following:

(1) Attend a conference on nonadversarial collective bargaining techniques.

(2) Interview members of the public residing in another district with reference to the trustees' potential employment of an applicant for the position of the superintendent of the district.

(3) Interview a potential employee from another district.

(d) Meetings of a joint powers authority shall occur within the territory of at least one of its member agencies, or as provided in subdivision (b). However, a joint powers authority

which has members throughout the state may meet at any facility in the state which complies with the requirements of Section 54961.

(e) If, by reason of fire, flood, earthquake, or other emergency, it shall be unsafe to meet in the place designated, the meetings shall be held for the duration of the emergency at the place designated by the presiding officer of the legislative body or his or her designee in a notice to the local media that have requested notice pursuant to Section 54956, by the most rapid means of communication available at the time.

(Amended by Stats. 2004, Ch. 257, Sec. 1. Effective January 1, 2005.)

54954.1. Any person may request that a copy of the agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. If a local agency has an internet website, the legislative body or its designee shall email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if the person requests that the item or items be delivered by email. If the local agency determines it is technologically infeasible to send a copy of all documents constituting the agenda packet or a link to a website that contains the documents by email or by other electronic means, the legislative body or its designee shall send by mail a copy of the agenda or a website link to the agenda and mail a copy of all other documents constituting the agenda packet in accordance with the mailing requirements established pursuant to this section. If requested, the agenda and documents in the agenda packet shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Upon receipt of the written request, the legislative body or its designee shall cause the requested materials to be mailed at the time the agenda is posted pursuant to Section 54954.2 and 54956 or upon distribution to all, or a majority of all, of the members of a legislative body, whichever occurs first. Any request for mailed copies of agendas or agenda packets shall be valid for the calendar year in which it is filed, and must be renewed following January 1 of each year. The legislative body may establish a fee for mailing the agenda or agenda packet, which fee shall not exceed the cost of providing the service. Failure of the requesting person to receive the agenda or agenda packet pursuant to this section shall not constitute grounds for invalidation of the actions of the legislative body taken at the meeting for which the agenda or agenda packet was not received.

(Amended by Stats. 2021, Ch. 763, Sec. 1. (SB 274) Effective January 1, 2022.)

54954.2.

(a)

(1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's internet website, if the local agency has one. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

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

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

(B) An online posting of an agenda, including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all of the following requirements:

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

(ii) Platform independent and machine readable.

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

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

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

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

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

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

(D) For the purposes of this paragraph, both of the following definitions shall apply:

(i) “Integrated agenda management platform” means an internet website of a city, county, city and county, special district, school district, or political subdivision established by the state dedicated to providing the entirety of the agenda information for the legislative body of the city, county, city and county,

special district, school district, or political subdivision established by the state to the public.

(ii) "Legislative body" has the same meaning as that term is used in subdivision (a) of Section 54952.

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

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

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

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

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

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

(4) To consider action on a request from a member to participate in a meeting remotely due to emergency circumstances, pursuant to Section 54953, if the request does not allow sufficient time to place the proposed action on the posted agenda for the meeting for which the request is made. The legislative body may approve such a request by a majority vote of the legislative body.

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

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

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

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

(e) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

(Amended (as amended by Stats. 2022, Ch. 285, Sec. 4) by Stats. 2023, Ch. 131, Sec. 91. (AB 1754) Effective January 1, 2024. Repealed as of January 1, 2026, by its own provisions. See later operative version, as amended by Sec. 92 of Stats. 2023, Ch. 131.)

54954.2.

(a)

(1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's internet website, if the local agency has one. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

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

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

(B) An online posting of an agenda, including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all of the following requirements:

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

(ii) Platform independent and machine readable.

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

(C) A legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an internet website

and an integrated agenda management platform shall not be required to comply with subparagraph (A) if all of the following are met:

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

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

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

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

(D) For the purposes of this paragraph, both of the following definitions shall apply:

(i) "Integrated agenda management platform" means an internet website of a city, county, city and county, special district, school district, or political subdivision established by the state dedicated to providing the entirety of the agenda information for the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state to the public.

(ii) "Legislative body" has the same meaning as that term is used in subdivision (a) of Section 54952.

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

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

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below.

Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

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

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

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

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

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

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

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

(e) This section shall become operative January 1, 2026.

(Amended (as added by Stats. 2022, Ch. 285, Sec. 5) by Stats. 2023, Ch. 131, Sec. 92. (AB 1754) Effective January 1, 2024. Operative January 1, 2026, by its own provisions.)

54954.3.

(a) Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body, provided that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of Section 54954.2. However, the agenda need not provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee, composed exclusively of members of the legislative body, at a public meeting wherein all interested members of the public were afforded the opportunity to address the committee on the item, before or during the committee's consideration of the item, unless the item has been substantially changed since the committee heard the item, as determined by the legislative body. Every notice for a special meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of that item.

(b)

(1) The legislative body of a local agency may adopt reasonable regulations to ensure that the intent of subdivision (a) is carried out, including, but not limited to, regulations

limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.

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

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

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

(Amended by Stats. 2016, Ch. 507, Sec. 1. (AB 1787) Effective January 1, 2017.)

54954.4.

(a) The Legislature hereby finds and declares that Section 12 of Chapter 641 of the Statutes of 1986, authorizing reimbursement to local agencies and school districts for costs mandated by the state pursuant to that act, shall be interpreted strictly. The intent of the Legislature is to provide reimbursement for only those costs which are clearly and unequivocally incurred as the direct and necessary result of compliance with Chapter 641 of the Statutes of 1986.

(b) In this regard, the Legislature directs all state employees and officials involved in reviewing or authorizing claims for reimbursement, or otherwise participating in the reimbursement process, to rigorously review each claim and authorize only those claims, or parts thereof, which represent costs which are clearly and unequivocally incurred as the direct and necessary result of compliance with Chapter 641 of the Statutes of 1986 and for which complete documentation exists. For purposes of Section 54954.2, costs eligible for reimbursement shall only include the actual cost to post a single agenda for any one meeting.

(c) The Legislature hereby finds and declares that complete, faithful, and uninterrupted compliance with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code) is a matter of overriding public importance. Unless specifically stated, no future Budget Act, or related budget enactments, shall, in any manner, be interpreted to suspend, eliminate, or otherwise modify the legal obligation and duty of local agencies to fully comply with Chapter 641 of the Statutes of 1986 in a complete, faithful, and uninterrupted manner.

(Added by Stats. 1991, Ch. 238, Sec. 1.)

54954.5.

For purposes of describing closed session items pursuant to Section 54954.2, the agenda may describe closed sessions as provided below. No legislative body or elected official shall be in violation of Section 54954.2 or 54956 if the closed session items were described in substantial compliance with this section. Substantial compliance is satisfied by including the information provided below, irrespective of its format.

(a) With respect to a closed session held pursuant to Section 54956.7:

LICENSE/PERMIT DETERMINATION

Applicant(s): (Specify number of applicants)

(b) With respect to every item of business to be discussed in closed session pursuant to Section 54956.8:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

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

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

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

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

(c) With respect to every item of business to be discussed in closed session pursuant to Section 54956.9:

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

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

or

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

CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: (Specify number of potential cases)

(In addition to the information noticed above, the agency may be required to provide additional information on the agenda or in an oral statement prior to the closed session pursuant to paragraphs (2) to (5), inclusive, of subdivision (e) of Section 54956.9.)

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

(d) With respect to every item of business to be discussed in closed session pursuant to Section 54956.95:

LIABILITY CLAIMS

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

Agency claimed against: (Specify name)

(e) With respect to every item of business to be discussed in closed session pursuant to Section 54957:

THREAT TO PUBLIC SERVICES OR FACILITIES

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

PUBLIC EMPLOYEE APPOINTMENT

Title: (Specify description of position to be filled)

PUBLIC EMPLOYMENT

Title: (Specify description of position to be filled)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: (Specify position title of employee being reviewed)

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

(No additional information is required in connection with a closed session to consider discipline, dismissal, or release of a public employee. Discipline includes potential reduction of compensation.)

(f) With respect to every item of business to be discussed in closed session pursuant to Section 54957.6:

CONFERENCE WITH LABOR NEGOTIATORS

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

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

or

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

(g) With respect to closed sessions called pursuant to Section 54957.8:

CASE REVIEW/PLANNING

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

(h) With respect to every item of business to be discussed in closed session pursuant to Sections 1461, 32106, and 32155 of the Health and Safety Code or Sections 37606 and 37624.3 of the Government Code:

REPORT INVOLVING TRADE SECRET

Discussion will concern: (Specify whether discussion will concern proposed new service, program, or facility)

Estimated date of public disclosure: (Specify month and year)

HEARINGS

Subject matter: (Specify whether testimony/deliberation will concern staff privileges, report of medical audit committee, or report of quality assurance committee)

(i) With respect to every item of business to be discussed in closed session pursuant to Section 54956.86:

CHARGE OR COMPLAINT INVOLVING INFORMATION PROTECTED BY FEDERAL LAW

(No additional information is required in connection with a closed session to discuss a charge or complaint pursuant to Section 54956.86.)

(j) With respect to every item of business to be discussed in closed session pursuant to Section 54956.96:

CONFERENCE INVOLVING A JOINT POWERS AGENCY (Specify by name)

Discussion will concern: (Specify closed session description used by the joint powers agency)

Name of local agency representative on joint powers agency board: (Specify name)

(Additional information listing the names of agencies or titles of representatives attending the closed session as consultants or other representatives.)

(k) With respect to every item of business to be discussed in closed session pursuant to Section 54956.75:

AUDIT BY CALIFORNIA STATE AUDITOR'S OFFICE

(Amended by Stats. 2012, Ch. 759, Sec. 6.1. (AB 2690) Effective January 1, 2013.)

54954.6.

(a)

(1) Before adopting any new or increased general tax or any new or increased assessment, the legislative body of a local agency shall conduct at least one public meeting at which local officials shall allow public testimony regarding the proposed new or increased general tax or new or increased assessment in addition to the noticed public hearing at which the legislative body proposes to enact or increase the general tax or assessment.

For purposes of this section, the term "new or increased assessment" does not include any of the following:

(A) A fee that does not exceed the reasonable cost of providing the services, facilities, or regulatory activity for which the fee is charged.

(B) A service charge, rate, or charge, unless a special district's principal act requires the service charge, rate, or charge to conform to the requirements of this section.

(C) An ongoing annual assessment if it is imposed at the same or lower amount as any previous year.

(D) An assessment that does not exceed an assessment formula or range of assessments previously specified in the notice given to the public pursuant to subparagraph (G) of paragraph (2) of subdivision (c) and that was previously adopted by the agency or approved by the voters in the area where the assessment is imposed.

(E) Standby or immediate availability charges.

(2) The legislative body shall provide at least 45 days' public notice of the public hearing at which the legislative body proposes to enact or increase the general tax or assessment. The legislative body shall provide notice for the public meeting at the same time and in the same document as the notice for the public hearing, but the meeting shall occur prior to the hearing.

(b)

(1) The joint notice of both the public meeting and the public hearing required by subdivision (a) with respect to a proposal for a new or increased general tax shall be accomplished by placing a display advertisement of at least one-eighth page in a newspaper of general circulation for three weeks pursuant to Section 6063 and by a first-class mailing to those interested parties who have filed a written request with the local agency for mailed notice of public meetings or hearings on new or increased general taxes. The public meeting pursuant to subdivision (a) shall take place no earlier than 10 days after the first publication of the joint notice pursuant to this subdivision. The public hearing shall take place no earlier than seven days after the public meeting pursuant to this subdivision. Notwithstanding paragraph (2) of subdivision (a), the joint notice need not include notice of the public meeting after the meeting has taken place. The public hearing pursuant to subdivision (a) shall take place no earlier than 45 days after the first publication of the joint notice pursuant to this subdivision. Any written request for mailed notices shall be effective for one year from the date on which it is filed unless a renewal request is filed. Renewal requests for mailed notices shall be filed on or before April 1 of each year. The legislative body may establish a reasonable annual charge for sending notices based on the estimated cost of providing the service.

(2) The notice required by paragraph (1) of this subdivision shall include, but not be limited to, the following:

(A) The amount or rate of the tax. If the tax is proposed to be increased from any previous year, the joint notice shall separately state both the existing tax rate and the proposed tax rate increase.

(B) The activity to be taxed.

(C) The estimated amount of revenue to be raised by the tax annually.

(D) The method and frequency for collecting the tax.

(E) The dates, times, and locations of the public meeting and hearing described in subdivision (a).

(F) The telephone number and address of an individual, office, or organization that interested persons may contact to receive additional information about the tax.

(c)

(1) The joint notice of both the public meeting and the public hearing required by subdivision (a) with respect to a proposal for a new or increased assessment on real property or businesses shall be accomplished through a mailing, postage prepaid, in the United States mail and shall be deemed given when so deposited. The public meeting pursuant to subdivision (a) shall take place no earlier than 10 days after the joint mailing pursuant to this subdivision. The public hearing shall take place no earlier than seven days after the public meeting pursuant to this subdivision. The envelope or the cover of the mailing shall include the name of the local agency and the return address of the sender. This mailed notice shall be in at least 10-point type and shall be

given to all property owners or business owners proposed to be subject to the new or increased assessment by a mailing by name to those persons whose names and addresses appear on the last equalized county assessment roll, the State Board of Equalization assessment roll, or the local agency's records pertaining to business ownership, as the case may be.

(2) The joint notice required by paragraph (1) of this subdivision shall include, but not be limited to, the following:

(A) In the case of an assessment proposed to be levied on property, the estimated amount of the assessment per parcel. In the case of an assessment proposed to be levied on businesses, the proposed method and basis of levying the assessment in sufficient detail to allow each business owner to calculate the amount of assessment to be levied against each business. If the assessment is proposed to be increased from any previous year, the joint notice shall separately state both the amount of the existing assessment and the proposed assessment increase.

(B) A general description of the purpose or improvements that the assessment will fund.

(C) The address to which property owners may mail a protest against the assessment.

(D) The telephone number and address of an individual, office, or organization that interested persons may contact to receive additional information about the assessment.

(E) A statement that a majority protest will cause the assessment to be abandoned if the assessment act used to levy the assessment so provides. Notice shall also state the percentage of protests required to trigger an election, if applicable.

(F) The dates, times, and locations of the public meeting and hearing described in subdivision (a).

(G) A proposed assessment formula or range as described in subparagraph (D) of paragraph (1) of subdivision (a) if applicable and that is noticed pursuant to this section.

(3) Notwithstanding paragraph (1), in the case of an assessment that is proposed exclusively for operation and maintenance expenses imposed throughout the entire local agency, or exclusively for operation and maintenance assessments proposed to be levied on 50,000 parcels or more, notice may be provided pursuant to this subdivision or pursuant to paragraph (1) of subdivision (b) and shall include the estimated amount of the assessment of various types, amounts, or uses of property and the information required by subparagraphs (B) to (G), inclusive, of paragraph (2) of subdivision (c).

(4) Notwithstanding paragraph (1), in the case of an assessment proposed to be levied pursuant to Part 2 (commencing with Section 22500) of Division 2 of the Streets and Highways Code by a regional park district, regional park and open-space district, or regional open-space district formed pursuant to Article 3 (commencing with Section 5500) of Chapter 3 of Division 5 of, or pursuant to Division 26 (commencing with Section 35100) of, the Public Resources Code, notice may be provided pursuant to paragraph (1) of subdivision (b).

(d) The notice requirements imposed by this section shall be construed as additional to, and not to supersede, existing provisions of law, and shall be applied concurrently with the existing provisions so as to not delay or prolong the governmental decisionmaking process.

(e) This section shall not apply to any new or increased general tax or any new or increased assessment that requires an election of either of the following:

(1) The property owners subject to the assessment.

(2) The voters within the local agency imposing the tax or assessment.

(f) Nothing in this section shall prohibit a local agency from holding a consolidated meeting or hearing at which the legislative body discusses multiple tax or assessment proposals.

(g) The local agency may recover the reasonable costs of public meetings, public hearings, and notice required by this section from the proceeds of the tax or assessment. The costs recovered for these purposes, whether recovered pursuant to this subdivision or any other provision of law, shall not exceed the reasonable costs of the public meetings, public hearings, and notice.

(h) Any new or increased assessment that is subject to the notice and hearing provisions of Article XIII C or XIII D of the California Constitution is not subject to the notice and hearing requirements of this section.

(Amended by Stats. 2011, Ch. 382, Sec. 3.5. (SB 194) Effective January 1, 2012.)

54955. The legislative body of a local agency may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time. If all members are absent from any regular or adjourned regular meeting the clerk or secretary of the legislative body may declare the meeting adjourned to a stated time and place and he shall cause a written notice of the adjournment to be given in the same manner as provided in Section 54956 for special meetings, unless such notice is waived as provided for special meetings. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held within 24 hours after the time of the adjournment. When a regular or adjourned regular meeting is adjourned as provided in this section, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings by ordinance, resolution, bylaw, or other rule.

(Amended by Stats. 1959, Ch. 647.)

54955.1. Any hearing being held, or noticed or ordered to be held, by a legislative body of a local agency at any meeting may by order or notice of continuance be continued or recontinued to any subsequent meeting of the legislative body in the same manner and to the same extent set forth in Section 54955 for the adjournment of meetings; provided, that if the hearing is continued to a time less than 24 hours after the time specified in the order or notice of hearing, a copy of the order or notice of continuance of hearing shall be posted immediately following the meeting at which the order or declaration of continuance was adopted or made.

(Added by Stats. 1965, Ch. 469.)

54956.

(a) 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 Web site, if the local agency has one. The notice shall be delivered personally or by any other means and shall be received at least 24 hours before the time of the meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered at these meetings by the legislative body. The written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the clerk or secretary of the legislative body a written waiver of notice. The waiver may be given by telegram. The written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes.

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 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.

(Amended by Stats. 2011, Ch. 692, Sec. 9. (AB 1344) Effective January 1, 2012.)

54956.5.

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

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

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

(b)

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

(2) Each local newspaper of general circulation and radio or television station that has requested notice of special meetings pursuant to Section 54956 shall be notified by the presiding officer of the legislative body, or designee thereof, one hour prior to the emergency meeting, or, in the case of a dire emergency, at or near the time that the presiding officer or designee notifies the members of the legislative body of the emergency meeting.

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

(B) For an emergency meeting held by a school board pursuant to this section, the presiding officer of the school board, or designee thereof, may send the notifications required by this paragraph by email instead of by telephone, as provided in subparagraph (A), to all local newspapers of general circulation, and radio or television stations, that have requested those notifications by email, and all email addresses provided by representatives of those newspapers or stations shall be exhausted. In the event that internet services and telephone services are not functioning, the notice requirements of this paragraph shall be deemed waived, and the school board, or designee of the school board, shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.

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

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

(e) The minutes of a meeting called pursuant to this section, a list of persons who the presiding officer of the legislative body, or designee of the legislative body, notified or attempted to notify, a copy of the rollcall vote, and any actions taken at the meeting shall be posted for a minimum of 10 days in a public place as soon after the meeting as possible.

(Amended by Stats. 2024, Ch. 565, Sec. 1. (AB 2350) Effective January 1, 2025.)

54956.6. No fees may be charged by the legislative body of a local agency for carrying out any provision of this chapter, except as specifically authorized by this chapter.

(Added by Stats. 1980, Ch. 1284.)

54956.7. Whenever a legislative body of a local agency determines that it is necessary to discuss and determine whether an applicant for a license or license renewal, who has a criminal record, is sufficiently rehabilitated to obtain the license, the legislative body may hold a closed session with the applicant and the applicant's attorney, if any, for the purpose of holding the discussion and making the determination. If the legislative body determines, as a result of the closed session, that the issuance or renewal of the license

should be denied, the applicant shall be offered the opportunity to withdraw the application. If the applicant withdraws the application, no record shall be kept of the discussions or decisions made at the closed session and all matters relating to the closed session shall be confidential. If the applicant does not withdraw the application, the legislative body shall take action at the public meeting during which the closed session is held or at its next public meeting denying the application for the license but all matters relating to the closed session are confidential and shall not be disclosed without the consent of the applicant, except in an action by an applicant who has been denied a license challenging the denial of the license.

(Added by Stats. 1982, Ch. 298, Sec. 1.)

54956.75.

(a) Nothing contained in this chapter shall be construed to prevent the legislative body of a local agency that has received a confidential final draft audit report from the Bureau of State Audits from holding closed sessions to discuss its response to that report.

(b) After the public release of an audit report by the Bureau of State Audits, if a legislative body of a local agency meets to discuss the audit report, it shall do so in an open session unless exempted from that requirement by some other provision of law.

(Added by Stats. 2004, Ch. 576, Sec. 4. Effective January 1, 2005.)

54956.8. Notwithstanding any other provision of this chapter, a legislative body of a local agency may hold a closed session with its negotiator prior to the purchase, sale, exchange, or lease of real property by or for the local agency to grant authority to its negotiator regarding the price and terms of payment for the purchase, sale, exchange, or lease.

However, prior to the closed session, the legislative body of the local agency shall hold an open and public session in which it identifies its negotiators, the real property or real properties which the negotiations may concern, and the person or persons with whom its negotiators may negotiate.

For purposes of this section, negotiators may be members of the legislative body of the local agency.

For purposes of this section, “lease” includes renewal or renegotiation of a lease.

Nothing in this section shall preclude a local agency from holding a closed session for discussions regarding eminent domain proceedings pursuant to Section 54956.9.

(Amended by Stats. 1998, Ch. 260, Sec. 3. Effective January 1, 1999.)

54956.81. Notwithstanding any other provision of this chapter, a legislative body of a local agency that invests pension funds may hold a closed session to consider the purchase or sale of particular, specific pension fund investments. All investment transaction decisions made during the closed session shall be made by rollcall vote entered into the minutes of the closed session as provided in subdivision (a) of Section 54957.2.

(Added by Stats. 2004, Ch. 533, Sec. 20. Effective January 1, 2005.)

54956.86. Notwithstanding any other provision of this chapter, a legislative body of a local agency which provides services pursuant to Section 14087.3 of the Welfare and Institutions Code may hold a closed session to hear a charge or complaint from a member enrolled in its health plan if the member does not wish to have his or her name, medical status, or other information that is protected by federal law publicly disclosed. Prior to holding a closed session pursuant to this section, the legislative body shall inform the member, in

writing, of his or her right to have the charge or complaint heard in an open session rather than a closed session.

(Added by Stats. 1996, Ch. 182, Sec. 2. Effective January 1, 1997.)

54956.87.

(a) Notwithstanding any other provision of this chapter, the records of a health plan that is licensed pursuant to the Knox-Keene Health Care Service Plan Act of 1975 (Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code) and that is governed by a county board of supervisors, whether paper records, records maintained in the management information system, or records in any other form, that relate to provider rate or payment determinations, allocation or distribution methodologies for provider payments, formulas or calculations for these payments, and contract negotiations with providers of health care for alternative rates are exempt from disclosure for a period of three years after the contract is fully executed. The transmission of the records, or the information contained therein in an alternative form, to the board of supervisors shall not constitute a waiver of exemption from disclosure, and the records and information once transmitted to the board of supervisors shall be subject to this same exemption.

(b) Notwithstanding any other provision of law, the governing board of a health plan that is licensed pursuant to the Knox-Keene Health Care Service Plan Act of 1975 (Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code) and that is governed by a county board of supervisors may order that a meeting held solely for the purpose of discussion or taking action on health plan trade secrets, as defined in subdivision (f), shall be held in closed session. The requirements of making a public report of action taken in closed session, and the vote or abstention of every member present, may be limited to a brief general description without the information constituting the trade secret.

(c) Notwithstanding any other provision of law, the governing board of a health plan may meet in closed session to consider and take action on matters pertaining to contracts and contract negotiations by the health plan with providers of health care services concerning all matters related to rates of payment. The governing board may delete the portion or portions containing trade secrets from any documents that were finally approved in the closed session held pursuant to subdivision (b) that are provided to persons who have made the timely or standing request.

(d) Nothing in this section shall be construed as preventing the governing board from meeting in closed session as otherwise provided by law.

(e) The provisions of this section shall not prevent access to any records by the Joint Legislative Audit Committee in the exercise of its powers pursuant to Article 1 (commencing with Section 10500) of Chapter 4 of Part 2 of Division 2 of Title 2. The provisions of this section also shall not prevent access to any records by the Department of Managed Health Care in the exercise of its powers pursuant to Article 1 (commencing with Section 1340) of Chapter 2.2 of Division 2 of the Health and Safety Code.

(f) For purposes of this section, “health plan trade secret” means a trade secret, as defined in subdivision (d) of Section 3426.1 of the Civil Code, that also meets both of the following criteria:

(1) The secrecy of the information is necessary for the health plan to initiate a new service, program, marketing strategy, business plan, or technology, or to add a benefit or product.

(2) Premature disclosure of the trade secret would create a substantial probability of depriving the health plan of a substantial economic benefit or opportunity.

(Amended by Stats. 2015, Ch. 190, Sec. 65. (AB 1517) Effective January 1, 2016.)

54956.9.

(a) Nothing in this chapter shall be construed to prevent a legislative body of a local agency, based on advice of its legal counsel, from holding a closed session to confer with, or receive advice from, its legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the local agency in the litigation.

(b) For purposes of this chapter, all expressions of the lawyer-client privilege other than those provided in this section are hereby abrogated. This section is the exclusive expression of the lawyer-client privilege for purposes of conducting closed-session meetings pursuant to this chapter.

(c) For purposes of this section, "litigation" includes any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator.

(d) For purposes of this section, litigation shall be considered pending when any of the following circumstances exist:

(1) Litigation, to which the local agency is a party, has been initiated formally.

(2) A point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency.

(3) Based on existing facts and circumstances, the legislative body of the local agency is meeting only to decide whether a closed session is authorized pursuant to paragraph (2).

(4) Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation.

(e) For purposes of paragraphs (2) and (3) of subdivision (d), "existing facts and circumstances" shall consist only of one of the following:

(1) Facts and circumstances that might result in litigation against the local agency but which the local agency believes are not yet known to a potential plaintiff or plaintiffs, which facts and circumstances need not be disclosed.

(2) Facts and circumstances, including, but not limited to, an accident, disaster, incident, or transactional occurrence that might result in litigation against the agency and that are known to a potential plaintiff or plaintiffs, which facts or circumstances shall be publicly stated on the agenda or announced.

(3) The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5.

(4) A statement made by a person in an open and public meeting threatening litigation on a specific matter within the responsibility of the legislative body.

(5) A statement threatening litigation made by a person outside an open and public meeting on a specific matter within the responsibility of the legislative body so long as the official or employee of the local agency receiving knowledge of the threat makes a contemporaneous or other record of the statement prior to the meeting, which record shall be available for public inspection pursuant to Section 54957.5. The records so created need not identify the alleged victim of unlawful or tortious sexual conduct or anyone making the threat on their behalf, or identify a public employee who is the alleged perpetrator of any unlawful or tortious conduct upon which a threat of litigation is based, unless the identity of the person has been publicly disclosed.

(f) Nothing in this section shall require disclosure of written communications that are privileged and not subject to disclosure pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1).

(g) Prior to holding a closed session pursuant to this section, the legislative body of the local agency shall state on the agenda or publicly announce the paragraph of subdivision (d) that authorizes the closed session. If the session is closed pursuant to paragraph (1) of subdivision (d), the body shall state the title of or otherwise specifically identify the litigation to be discussed, unless the body states that to do so would jeopardize the agency's ability to effectuate service of process upon one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.

(h) A local agency shall be considered to be a "party" or to have a "significant exposure to litigation" if an officer or employee of the local agency is a party or has significant exposure to litigation concerning prior or prospective activities or alleged activities during the course and scope of that office or employment, including litigation in which it is an issue whether an activity is outside the course and scope of the office or employment.

(Amended by Stats. 2021, Ch. 615, Sec. 206. (AB 474) Effective January 1, 2022. Operative January 1, 2023, pursuant to Sec. 463 of Stats. 2021, Ch. 615.)

54956.95.

(a) Nothing in this chapter shall be construed to prevent a joint powers agency formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1, for purposes of insurance pooling, or a local agency member of the joint powers agency, from holding a closed session to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by the joint powers agency or a local agency member of the joint powers agency.

(b) Nothing in this chapter shall be construed to prevent the Local Agency Self-Insurance Authority formed pursuant to Chapter 5.5 (commencing with Section 6599.01) of Division 7 of Title 1, or a local agency member of the authority, from holding a closed session to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by the authority or a local agency member of the authority.

(c) Nothing in this section shall be construed to affect Section 54956.9 with respect to any other local agency.

(Added by Stats. 1989, Ch. 882, Sec. 3.)

54956.96.

(a) Nothing in this chapter shall be construed to prevent the legislative body of a joint powers agency formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5

of Division 7 of Title 1, from adopting a policy or a bylaw or including in its joint powers agreement provisions that authorize either or both of the following:

(1) All information received by the legislative body of the local agency member in a closed session related to the information presented to the joint powers agency in closed session shall be confidential. However, a member of the legislative body of a local agency member may disclose information obtained in a closed session that has direct financial or liability implications for that local agency to the following individuals:

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

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

(2) Any designated alternate member of the legislative body of the joint powers agency who is also a member of the legislative body of a local agency member and who is attending a properly noticed meeting of the joint powers agency in lieu of a local agency member's regularly appointed member to attend closed sessions of the joint powers agency.

(b)

(1) In addition to the authority described in subdivision (a), the Clean Power Alliance of Southern California, or its successor entity, may adopt a policy or a bylaw or include in its joint powers agreement a provision that authorizes both of the following:

(A) A designated alternate member of the legislative body of the Clean Power Alliance of Southern California, or its successor entity, who is not a member of the legislative body of a local agency member and who is attending a properly noticed meeting of the Clean Power Alliance of Southern California, or its successor entity, in lieu of a local agency member's regularly appointed member, to attend closed sessions of the Clean Power Alliance of Southern California, or its successor entity.

(B) All information that is received by a designated alternate member of the legislative body of the Clean Power Alliance of Southern California, or its successor entity, who is not a member of the legislative body of a local agency member, and that is presented to the Clean Power Alliance of Southern California, or its successor entity, in closed session, shall be confidential. However, the designated alternate member may disclose information obtained in a closed session that has direct financial or liability implications for the local agency member for which the designated alternate member attended the closed session, to the following individuals:

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

(ii) Members of the legislative body of the local agency present in a closed session of that local agency member.

(2) If the Clean Power Alliance of Southern California, or its successor entity, adopts a policy or bylaw or includes in its joint powers agreement a provision authorized pursuant to paragraph (1), the Clean Power Alliance of Southern California, or its successor entity, shall establish policies to prevent conflicts of interest and to address breaches of confidentiality that apply to a designated alternate member who is not a

member of the legislative body of a local agency member who attends a closed session of the Clean Power Alliance of Southern California, or its successor entity.

(c) If the legislative body of a joint powers agency adopts a policy or a bylaw or includes provisions in its joint powers agreement pursuant to subdivision (a) or (b), then the legislative body of the local agency member, upon the advice of its legal counsel, may conduct a closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the joint powers agency pursuant to paragraph (1) of subdivision (a) or paragraph (1) of subdivision (b).

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

(Amended (as amended by Stats. 2019, Ch. 248, Sec. 1) by Stats. 2024, Ch. 24, Sec. 1. (AB 1852) Effective January 1, 2025. Repealed as of January 1, 2030, by its own provisions. See later operative version, as amended by Sec. 2 of Stats. 2024, Ch. 24.)

54956.96.

(a) Nothing in this chapter shall be construed to prevent the legislative body of a joint powers agency formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1, from adopting a policy or a bylaw or including in its joint powers agreement provisions that authorize either or both of the following:

(1) All information received by the legislative body of the local agency member in a closed session related to the information presented to the joint powers agency in closed session shall be confidential. However, a member of the legislative body of a local agency member may disclose information obtained in a closed session that has direct financial or liability implications for that local agency to the following individuals:

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

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

(2) A designated alternate member of the legislative body of the joint powers agency who is also a member of the legislative body of a local agency member and who is attending a properly noticed meeting of the joint powers agency in lieu of a local agency member's regularly appointed member to attend closed sessions of the joint powers agency.

(b) If the legislative body of a joint powers agency adopts a policy or a bylaw or includes provisions in its joint powers agreement pursuant to subdivision (a), then the legislative body of the local agency member, upon the advice of its legal counsel, may conduct a closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the joint powers agency pursuant to paragraph (1) of subdivision (a).

(c) This section shall become operative on January 1, 2030.

(Amended (as added by Stats. 2019, Ch. 248, Sec. 2) by Stats. 2024, Ch. 24, Sec. 2. (AB 1852) Effective January 1, 2025. Section operative January 1, 2030, by its own provisions.)

54956.97. Notwithstanding any provision of law, the governing board, or a committee of the governing board, of a public bank, as defined in Section 57600 of the Government

Code, may meet in closed session to consider and take action on matters pertaining to all of the following:

(a) A loan or investment decision.

(b) A decision of the internal audit committee, the compliance committee, or the governance committee.

(c) A meeting with a state or federal regulator.

(Added by Stats. 2019, Ch. 442, Sec. 14. (AB 857) Effective January 1, 2020.)

54956.98.

(a) For purposes of this section, the following definitions shall apply:

(1) "Shareholder, member, or owner local agency" or "shareholder, member, or owner" means a local agency that is a shareholder of a public bank.

(2) "Public bank" has the same meaning as defined in Section 57600.

(b) The governing board of a public bank may adopt a policy or a bylaw or include in its governing documents provisions that authorize any of the following:

(1) All information received by a shareholder, member, or owner of the public bank in a closed session related to the information presented to the governing board of a public bank in closed session shall be confidential. However, a member of the governing board of a shareholder, member, or owner local agency may disclose information obtained in a closed session that has direct financial or liability implications for that local agency to the following individuals:

(A) Legal counsel of that shareholder, member, or owner local agency for purposes of obtaining advice on whether the matter has direct financial or liability implications for that shareholder local agency.

(B) Other members of the governing board of the local agency present in a closed session of that shareholder, member, or owner local agency.

(2) A designated alternate member of the governing board of the public bank who is also a member of the governing board of a shareholder, member, or owner local agency and who is attending a properly noticed meeting of the public bank governing board in lieu of a shareholder, member, or owner local agency's regularly appointed member may attend a closed session of the public bank governing board.

(c) If the governing board of a public bank adopts a policy or a bylaw or includes provisions in its governing documents pursuant to subdivision (b), then the governing board of the shareholder, member, or owner local agency, upon the advice of its legal counsel, may conduct a closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the public bank governing board pursuant to paragraph (1) of subdivision (b).

(Added by Stats. 2019, Ch. 442, Sec. 15. (AB 857) Effective January 1, 2020.)

54957.

(a)

(1) This chapter does not prevent the legislative body of a local agency from holding closed sessions with the Governor, Attorney General, district attorney, agency counsel, sheriff, or chief of police, or other law enforcement or security personnel, or a security

consultant or a security operations manager, on matters posing a threat to the security of public buildings, a threat to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service, a threat to the public's right of access to public services or public facilities, or a threat to critical infrastructure controls or critical infrastructure information relating to cybersecurity.

(2) For purposes of this subdivision, the following definitions apply:

(A) "Critical infrastructure controls" means networks and systems controlling assets so vital to the local agency that the incapacity or destruction of those networks, systems, or assets would have a debilitating impact on public health, safety, economic security, or any combination thereof.

(B) "Critical infrastructure information" means information not customarily in the public domain pertaining to any of the following:

(i) Actual, potential, or threatened interference with, or an attack on, compromise of, or incapacitation of critical infrastructure controls by either physical or computer-based attack or other similar conduct, including, but not limited to, the misuse of, or unauthorized access to, all types of communications and data transmission systems, that violates federal, state, or local law or harms public health, safety, or economic security, or any combination thereof.

(ii) The ability of critical infrastructure controls to resist any interference, compromise, or incapacitation, including, but not limited to, any planned or past assessment or estimate of the vulnerability of critical infrastructure.

(iii) Any planned or past operational problem or solution regarding critical infrastructure controls, including, but not limited to, repair, recovery, reconstruction, insurance, or continuity, to the extent it is related to interference, compromise, or incapacitation of critical infrastructure controls.

(b) (1) Subject to paragraph (2), this chapter does not prevent the legislative body of a local agency from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session.

(2) As a condition to holding a closed session on specific complaints or charges brought against an employee by another person or employee, the employee shall be given written notice of their right to have the complaints or charges heard in an open session rather than a closed session, which notice shall be delivered to the employee personally or by mail at least 24 hours before the time for holding the session. If notice is not given, any disciplinary or other action taken by the legislative body against the employee based on the specific complaints or charges in the closed session shall be null and void.

(3) The legislative body also may exclude from the public or closed meeting, during the examination of a witness, any or all other witnesses in the matter being investigated by the legislative body.

(4) For the purposes of this subdivision, the term "employee" shall include an officer or an independent contractor who functions as an officer or an employee but shall not include any elected official, member of a legislative body or other independent contractors. This subdivision shall not limit local officials' ability to hold closed session meetings pursuant to Sections 1461, 32106, and 32155 of the Health and Safety Code or Sections 37606 and 37624.3 of the Government Code. Closed sessions held pursuant to this subdivision shall

not include discussion or action on proposed compensation except for a reduction of compensation that results from the imposition of discipline.

(Amended by Stats. 2024, Ch. 243, Sec. 1. (AB 2715) Effective January 1, 2025.)

54957.1.

(a) The legislative body of any local agency shall publicly report any action taken in closed session and the vote or abstention on that action of every member present, as follows:

(1) Approval of an agreement concluding real estate negotiations pursuant to Section 54956.8 shall be reported after the agreement is final, as follows:

(A) If its own approval renders the agreement final, the body shall report that approval and the substance of the agreement in open session at the public meeting during which the closed session is held.

(B) If final approval rests with the other party to the negotiations, the local agency shall disclose the fact of that approval and the substance of the agreement upon inquiry by any person, as soon as the other party or its agent has informed the local agency of its approval.

(2) Approval given to its legal counsel to defend, or seek or refrain from seeking appellate review or relief, or to enter as an amicus curiae in any form of litigation as the result of a consultation under Section 54956.9 shall be reported in open session at the public meeting during which the closed session is held. The report shall identify, if known, the adverse party or parties and the substance of the litigation. In the case of approval given to initiate or intervene in an action, the announcement need not identify the action, the defendants, or other particulars, but shall specify that the direction to initiate or intervene in an action has been given and that the action, the defendants, and the other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the agency's ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.

(3) Approval given to its legal counsel of a settlement of pending litigation, as defined in Section 54956.9, at any stage prior to or during a judicial or quasi-judicial proceeding shall be reported after the settlement is final, as follows:

(A) If the legislative body accepts a settlement offer signed by the opposing party, the body shall report its acceptance and identify the substance of the agreement in open session at the public meeting during which the closed session is held.

(B) If final approval rests with some other party to the litigation or with the court, then as soon as the settlement becomes final, and upon inquiry by any person, the local agency shall disclose the fact of that approval, and identify the substance of the agreement.

(4) Disposition reached as to claims discussed in closed session pursuant to Section 54956.95 shall be reported as soon as reached in a manner that identifies the name of the claimant, the name of the local agency claimed against, the substance of the claim, and any monetary amount approved for payment and agreed upon by the claimant.

(5) Action taken to appoint, employ, dismiss, accept the resignation of, or otherwise affect the employment status of a public employee in closed session pursuant to Section 54957 shall be reported at the public meeting during which the closed session is held. Any report required by this paragraph shall identify the title of the position. The general requirement of this paragraph notwithstanding, the report of a dismissal or of

the nonrenewal of an employment contract shall be deferred until the first public meeting following the exhaustion of administrative remedies, if any.

(6) Approval of an agreement concluding labor negotiations with represented employees pursuant to Section 54957.6 shall be reported after the agreement is final and has been accepted or ratified by the other party. The report shall identify the item approved and the other party or parties to the negotiation.

(7) Pension fund investment transaction decisions made pursuant to Section 54956.81 shall be disclosed at the first open meeting of the legislative body held after the earlier of the close of the investment transaction or the transfer of pension fund assets for the investment transaction.

(b) Reports that are required to be made pursuant to this section may be made orally or in writing. The legislative body shall provide to any person who has submitted a written request to the legislative body within 24 hours of the posting of the agenda, or to any person who has made a standing request for all documentation as part of a request for notice of meetings pursuant to Section 54954.1 or 54956, if the requester is present at the time the closed session ends, copies of any contracts, settlement agreements, or other documents that were finally approved or adopted in the closed session. If the action taken results in one or more substantive amendments to the related documents requiring retyping, the documents need not be released until the retyping is completed during normal business hours, provided that the presiding officer of the legislative body or his or her designee orally summarizes the substance of the amendments for the benefit of the document requester or any other person present and requesting the information.

(c) The documentation referred to in subdivision (b) shall be available to any person on the next business day following the meeting in which the action referred to is taken or, in the case of substantial amendments, when any necessary retyping is complete.

(d) Nothing in this section shall be construed to require that the legislative body approve actions not otherwise subject to legislative body approval.

(e) No action for injury to a reputational, liberty, or other personal interest may be commenced by or on behalf of any employee or former employee with respect to whom a disclosure is made by a legislative body in an effort to comply with this section.

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

(Amended by Stats. 2006, Ch. 538, Sec. 311. Effective January 1, 2007.)

54957.2.

(a) The legislative body of a local agency may, by ordinance or resolution, designate a clerk or other officer or employee of the local agency who shall then attend each closed session of the legislative body and keep and enter in a minute book a record of topics discussed and decisions made at the meeting. The minute book made pursuant to this section is not a public record subject to inspection pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), and shall be kept confidential. The minute book shall be available only to members of the legislative body or, if a violation of this chapter is alleged to have occurred at a closed session, to a court of general jurisdiction wherein the local agency lies. The minute book may, but need not, consist of a recording of the closed session.

(b) An elected legislative body of a local agency may require that each legislative body all or a majority of whose members are appointed by or under the authority of the elected legislative body keep a minute book as prescribed under subdivision (a).

(Amended by Stats. 2021, Ch. 615, Sec. 207. (AB 474) Effective January 1, 2022. Operative January 1, 2023, pursuant to Sec. 463 of Stats. 2021, Ch. 615.)

54957.5.

(a) Agendas of public meetings are disclosable public records under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), and shall be made available upon request without delay and in compliance with Section 54954.2 or Section 54956, as applicable. However, this section shall not apply to a writing, or portion thereof, that is exempt from public disclosure.

(b)

(1) If a writing is a public record related to an agenda item for an open session of a regular meeting of the legislative body of a local agency and is distributed to all, or a majority of all, of the members of a legislative body of a local agency by a person in connection with a matter subject to discussion or consideration at an open meeting of the body less than 72 hours before that meeting, the writing shall be made available for public inspection pursuant to paragraph (2) at the time the writing is distributed to all, or a majority of all, of the members of the body.

(2)

(A) Except as provided in subparagraph (B), a local agency shall comply with both of the following requirements:

(i) A local agency shall make any writing described in paragraph (1) available for public inspection at a public office or location that the agency shall designate for this purpose.

(ii) A local agency shall list the address of the office or location designated pursuant to clause (i) on the agendas for all meetings of the legislative body of that agency.

(B) A local agency shall not be required to comply with the requirements of subparagraph (A) if all of the following requirements are met:

(i) An initial staff report or similar document containing an executive summary and the staff recommendation, if any, relating to that agenda item is made available for public inspection at the office or location designated pursuant to clause (i) of subparagraph (A) at least 72 hours before the meeting.

(ii) The local agency immediately posts any writing described in paragraph (1) on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.

(iii) The local agency lists the web address of the local agency's internet website on the agendas for all meetings of the legislative body of that agency.

(iv)

(I) Subject to subclause (II), the local agency makes physical copies available for public inspection, beginning the next regular business hours for the local agency, at the office or location designated pursuant to clause (i) of subparagraph (A).

(II) This clause is satisfied only if the next regular business hours of the local agency commence at least 24 hours before that meeting.

(c) Writings that are public records described in subdivision (b) and distributed during a public meeting shall be made available for public inspection at the meeting if prepared by the local agency or a member of its legislative body, or after the meeting if prepared by some other person. These writings shall be made available in appropriate alternative formats upon request by a person with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(d) This chapter shall not be construed to prevent the legislative body of a local agency from charging a fee or deposit for a copy of a public record pursuant to Section 7922.530, except that a surcharge shall not be imposed on persons with disabilities in violation of Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(e) This section shall not be construed to limit or delay the public's right to inspect or obtain a copy of any record required to be disclosed under the requirements of the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), including, but not limited to, the ability of the public to inspect public records pursuant to Section 7922.525 and obtain copies of public records pursuant to either subdivision (b) of Section 7922.530 or Section 7922.535. This chapter shall not be construed to require a legislative body of a local agency to place any paid advertisement or any other paid notice in any publication.

(Amended (as amended by Stats. 2021, Ch. 615, Sec. 208) by Stats. 2022, Ch. 971, Sec. 1. (AB 2647) Effective January 1, 2023.)

54957.6.

(a) Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation.

However, prior to the closed session, the legislative body of the local agency shall hold an open and public session in which it identifies its designated representatives.

Closed sessions of a legislative body of a local agency, as permitted in this section, shall be for the purpose of reviewing its position and instructing the local agency's designated representatives.

Closed sessions, as permitted in this section, may take place prior to and during consultations and discussions with representatives of employee organizations and unrepresented employees.

Closed sessions with the local agency's designated representative regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits may include discussion of an agency's available funds and funding priorities, but only insofar as these discussions relate to providing instructions to the local agency's designated representative.

Closed sessions held pursuant to this section shall not include final action on the proposed compensation of one or more unrepresented employees.

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

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

(Amended by Stats. 1998, Ch. 260, Sec. 5. Effective January 1, 1999.)

54957.7.

(a) Prior to holding any closed session, the legislative body of the local agency shall disclose, in an open meeting, the item or items to be discussed in the closed session. The disclosure may take the form of a reference to the item or items as they are listed by number or letter on the agenda. In the closed session, the legislative body may consider only those matters covered in its statement. Nothing in this section shall require or authorize a disclosure of information prohibited by state or federal law.

(b) After any closed session, the legislative body shall reconvene into open session prior to adjournment and shall make any disclosures required by Section 54957.1 of action taken in the closed session.

(c) The announcements required to be made in open session pursuant to this section may be made at the location announced in the agenda for the closed session, as long as the public is allowed to be present at that location for the purpose of hearing the announcements.

(Amended by Stats. 1993, Ch. 1137, Sec. 15. Effective January 1, 1994. Operative April 1, 1994, by Sec. 23 of Ch. 1137.)

54957.8.

(a) For purposes of this section, "multijurisdictional law enforcement agency" means a joint powers entity formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 that provides law enforcement services for the parties to the joint powers agreement for the purpose of investigating criminal activity involving drugs; gangs; sex crimes; firearms trafficking or felony possession of a firearm; high technology, computer, or identity theft; human trafficking; or vehicle theft.

(b) Nothing contained in this chapter shall be construed to prevent the legislative body of a multijurisdictional law enforcement agency, or an advisory body of a multijurisdictional law enforcement agency, from holding closed sessions to discuss the case records of any ongoing criminal investigation of the multijurisdictional law enforcement agency or of any party to the joint powers agreement, to hear testimony from persons involved in the investigation, and to discuss courses of action in particular cases.

(Amended by Stats. 2006, Ch. 427, Sec. 1. Effective September 22, 2006.)

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

(Amended by Stats. 1981, Ch. 968, Sec. 34.)

54957.95.

(a)

(1) In addition to authority exercised pursuant to Sections 54954.3 and 54957.9, the presiding member of the legislative body conducting a meeting or their designee may remove, or cause the removal of, an individual for disrupting the meeting.

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

(b) As used in this section:

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

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

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

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

(Added by Stats. 2022, Ch. 171, Sec. 2. (SB 1100) Effective January 1, 2023.)

54957.10. Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions to discuss a local agency employee's application for early withdrawal of funds in a deferred compensation plan when the application is based on financial hardship arising from an unforeseeable emergency due to illness, accident, casualty, or other extraordinary event, as specified in the deferred compensation plan.

(Added by Stats. 2001, Ch. 45, Sec. 1. Effective January 1, 2002.)

54958. The provisions of this chapter shall apply to the legislative body of every local agency notwithstanding the conflicting provisions of any other state law.

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

54959. Each member of a legislative body who attends a meeting of that legislative body where action is taken in violation of any provision of this chapter, and where the member intends to deprive the public of information to which the member knows or has reason to know the public is entitled under this chapter, is guilty of a misdemeanor.

(Amended by Stats. 1994, Ch. 32, Sec. 18. Effective March 30, 1994. Operative April 1, 1994, by Sec. 23 of Ch. 32.)

54960.

(a) The district attorney or any interested person may commence an action by mandamus, injunction, or declaratory relief for the purpose of stopping or preventing violations or threatened violations of this chapter by members of the legislative body of a local agency or to determine the applicability of this chapter to ongoing actions or threatened future

actions of the legislative body, or to determine the applicability of this chapter to past actions of the legislative body, subject to Section 54960.2, or to determine whether any rule or action by the legislative body to penalize or otherwise discourage the expression of one or more of its members is valid or invalid under the laws of this state or of the United States, or to compel the legislative body to audio record its closed sessions as hereinafter provided.

(b) The court in its discretion may, upon a judgment of a violation of Section 54956.7, 54956.8, 54956.9, 54956.95, 54957, or 54957.6, order the legislative body to audio record its closed sessions and preserve the audio recordings for the period and under the terms of security and confidentiality the court deems appropriate.

(c)

(1) Each recording so kept shall be immediately labeled with the date of the closed session recorded and the title of the clerk or other officer who shall be custodian of the recording.

(2) The audio recordings shall be subject to the following discovery procedures:

(A) In any case in which discovery or disclosure of the audio recording is sought by either the district attorney or the plaintiff in a civil action pursuant to Section 54959, 54960, or 54960.1 alleging that a violation of this chapter has occurred in a closed session that has been recorded pursuant to this section, the party seeking discovery or disclosure shall file a written notice of motion with the appropriate court with notice to the governmental agency that has custody and control of the audio recording. The notice shall be given pursuant to subdivision (b) of Section 1005 of the Code of Civil Procedure.

(B) The notice shall include, in addition to the items required by Section 1010 of the Code of Civil Procedure, all of the following:

(i) Identification of the proceeding in which discovery or disclosure is sought, the party seeking discovery or disclosure, the date and time of the meeting recorded, and the governmental agency that has custody and control of the recording.

(ii) An affidavit that contains specific facts indicating that a violation of the act occurred in the closed session.

(3) If the court, following a review of the motion, finds that there is good cause to believe that a violation has occurred, the court may review, in camera, the recording of that portion of the closed session alleged to have violated the act.

(4) If, following the in camera review, the court concludes that disclosure of a portion of the recording would be likely to materially assist in the resolution of the litigation alleging violation of this chapter, the court shall, in its discretion, make a certified transcript of the portion of the recording a public exhibit in the proceeding.

(5) This section shall not permit discovery of communications that are protected by the attorney-client privilege.

(Amended by Stats. 2012, Ch. 732, Sec. 1. (SB 1003) Effective January 1, 2013.)

54960.1.

(a) The district attorney or any interested person may commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that an action taken by a legislative body of a local agency in violation of Section 54953, 54954.2, 54954.5, 54954.6,

54956, or 54956.5 is null and void under this section. Nothing in this chapter shall be construed to prevent a legislative body from curing or correcting an action challenged pursuant to this section.

(b) Prior to any action being commenced pursuant to subdivision (a), the district attorney or interested person shall make a demand of the legislative body to cure or correct the action alleged to have been taken in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5. The demand shall be in writing and clearly describe the challenged action of the legislative body and nature of the alleged violation.

(c)

(1) The written demand shall be made within 90 days from the date the action was taken unless the action was taken in an open session but in violation of Section 54954.2, in which case the written demand shall be made within 30 days from the date the action was taken.

(2) Within 30 days of receipt of the demand, the legislative body shall cure or correct the challenged action and inform the demanding party in writing of its actions to cure or correct or inform the demanding party in writing of its decision not to cure or correct the challenged action.

(3) If the legislative body takes no action within the 30-day period, the inaction shall be deemed a decision not to cure or correct the challenged action, and the 15-day period to commence the action described in subdivision (a) shall commence to run the day after the 30-day period to cure or correct expires.

(4) Within 15 days of receipt of the written notice of the legislative body's decision to cure or correct, or not to cure or correct, or within 15 days of the expiration of the 30-day period to cure or correct, whichever is earlier, the demanding party shall be required to commence the action pursuant to subdivision (a) or thereafter be barred from commencing the action.

(d) An action taken that is alleged to have been taken in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5 shall not be determined to be null and void if any of the following conditions exist:

(1) The action taken was in substantial compliance with Sections 54953, 54954.2, 54954.5, 54954.6, 54956, and 54956.5.

(2) The action taken was in connection with the sale or issuance of notes, bonds, or other evidences of indebtedness or any contract, instrument, or agreement thereto.

(3) The action taken gave rise to a contractual obligation, including a contract let by competitive bid other than compensation for services in the form of salary or fees for professional services, upon which a party has, in good faith and without notice of a challenge to the validity of the action, detrimentally relied.

(4) The action taken was in connection with the collection of any tax.

(5) Any person, city, city and county, county, district, or any agency or subdivision of the state alleging noncompliance with subdivision (a) of Section 54954.2, Section 54956, or Section 54956.5, because of any defect, error, irregularity, or omission in the notice given pursuant to those provisions, had actual notice of the item of business at least 72 hours prior to the meeting at which the action was taken, if the meeting was noticed pursuant to Section 54954.2, or 24 hours prior to the meeting at which the action was taken if the meeting was noticed pursuant to Section 54956, or prior to the meeting at which the action was taken if the meeting is held pursuant to Section 54956.5.

(e) During any action seeking a judicial determination pursuant to subdivision (a) if the court determines, pursuant to a showing by the legislative body that an action alleged to have been taken in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5 has been cured or corrected by a subsequent action of the legislative body, the action filed pursuant to subdivision (a) shall be dismissed with prejudice.

(f) The fact that a legislative body takes a subsequent action to cure or correct an action taken pursuant to this section shall not be construed or admissible as evidence of a violation of this chapter.

(Amended by Stats. 2002, Ch. 454, Sec. 23. Effective January 1, 2003.)

54960.2.

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

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

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

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

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

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

(c)

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

To _____:

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

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

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

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

Very truly yours,

_____

[Chairperson or acting chairperson of the legislative body]

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

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

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

(d) If the legislative body provides an unconditional commitment as set forth in subdivision (c), the legislative body shall not thereafter take or engage in the challenged action

described in the cease and desist letter, except as provided in subdivision (e). Violation of this subdivision shall constitute an independent violation of this chapter, without regard to whether the challenged action would otherwise violate this chapter. An action alleging past violation or threatened future violation of this subdivision may be brought pursuant to subdivision (a) of Section 54960, without regard to the procedural requirements of this section.

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

(Added by Stats. 2012, Ch. 732, Sec. 2. (SB 1003) Effective January 1, 2013.)

54960.5. A court may award court costs and reasonable attorney fees to the plaintiff in an action brought pursuant to Section 54960, 54960.1, or 54960.2 where it is found that a legislative body of the local agency has violated this chapter. Additionally, when an action brought pursuant to Section 54960.2 is dismissed with prejudice because a legislative body has provided an unconditional commitment pursuant to paragraph (1) of subdivision (c) of that section at any time after the 30-day period for making such a commitment has expired, the court shall award court costs and reasonable attorney fees to the plaintiff if the filing of that action caused the legislative body to issue the unconditional commitment. The costs and fees shall be paid by the local agency and shall not become a personal liability of any public officer or employee of the local agency.

A court may award court costs and reasonable attorney fees to a defendant in any action brought pursuant to Section 54960 or 54960.1 where the defendant has prevailed in a final determination of such action and the court finds that the action was clearly frivolous and totally lacking in merit.

(Amended by Stats. 2012, Ch. 732, Sec. 3. (SB 1003) Effective January 1, 2013.)

54961.

(a) No legislative body of a local agency shall conduct any meeting in any facility that prohibits the admittance of any person, or persons, on the basis of ancestry or any characteristic listed or defined in Section 11135, or which is inaccessible to disabled persons, or where members of the public may not be present without making a payment or purchase. This section shall apply to every local agency as defined in Section 54951.

(b) No notice, agenda, announcement, or report required under this chapter need identify any victim or alleged victim of tortious sexual conduct or child abuse unless the identity of the person has been publicly disclosed.

(Amended by Stats. 2007, Ch. 568, Sec. 35. Effective January 1, 2008.)

54962. Except as expressly authorized by this chapter, or by Sections 1461, 1462, 32106, and 32155 of the Health and Safety Code, or by Sections 37606, 37606.1, and 37624.3 of the Government Code as they apply to hospitals, or by any provision of the Education Code pertaining to school districts and community college districts, no closed session may be held by any legislative body of any local agency.

(Amended by Stats. 2006, Ch. 157, Sec. 2. Effective January 1, 2007.)

54963.

(a) A person may not disclose confidential information that has been acquired by being present in a closed session authorized by Section 54956.7, 54956.8, 54956.86, 54956.87, 54956.9, 54957, 54957.6, 54957.8, or 54957.10 to a person not entitled to receive it, unless the legislative body authorizes disclosure of that confidential information.

(b) For purposes of this section, "confidential information" means a communication made in a closed session that is specifically related to the basis for the legislative body of a local agency to meet lawfully in closed session under this chapter.

(c) Violation of this section may be addressed by the use of such remedies as are currently available by law, including, but not limited to:

(1) Injunctive relief to prevent the disclosure of confidential information prohibited by this section.

(2) Disciplinary action against an employee who has willfully disclosed confidential information in violation of this section.

(3) Referral of a member of a legislative body who has willfully disclosed confidential information in violation of this section to the grandjury.

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

(e) A local agency may not take any action authorized by subdivision (c) against a person, nor shall it be deemed a violation of this section, for doing any of the following:

(1) Making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts to a district attorney or grand jury that are necessary to establish the illegality of an action taken by a legislative body of a local agency or the potential illegality of an action that has been the subject of deliberation at a closed session if that action were to be taken by a legislative body of a local agency.

(2) Expressing an opinion concerning the propriety or legality of actions taken by a legislative body of a local agency in closed session, including disclosure of the nature and extent of the illegal or potentially illegal action.

(3) Disclosing information acquired by being present in a closed session under this chapter that is not confidential information.

(f) Nothing in this section shall be construed to prohibit disclosures under the whistleblower statutes contained in Section 1102.5 of the Labor Code or Article 4.5 (commencing with Section 53296) of Chapter 2 of this code.

(Added by Stats. 2002, Ch. 1119, Sec. 1. Effective January 1, 2003.)

Administrative Report

TO: **Public Safety Commission**

FROM: **Lindy Palmer, Public Works Director**

MEETING DATE: **August 3, 2026**

SUBJECT: **Establishment of Regular Meeting Day, Time, and Location for the Public Safety Commission**

RECOMMENDATION

Discuss and determine the day, time, and location for the Commission's regular monthly meeting.

DISCUSSION

The City Council introduced and approved Ordinance No. 972 at its regular meeting on February 24, 2026. Ordinance No. 972 established a Public Safety Commission (PSC) to act as an advisory commission to the City Council on various issues related to public safety in the community.

Ojai Municipal Code Section 3-9.05 governs the meeting requirements of the Public Safety Commission. The code provides the following framework for regular meetings:

Regular meetings of the Commission shall be public and shall be held monthly for the first six months following the appointment and swearing in of the last Commissioner. Thereafter, the Commission may meet on a monthly basis but shall meet at least once per calendar quarter.

Therefore, staff recommend the following options for the PSC to meet each month. These options are also taking into consideration other regular Council and Commission meetings and the availability of staff and public meeting space:

Location: City Hall Council Chambers
Frequency: Once a month

Option 1: First Monday of each month
Option 2: Third Monday of each month
Option 3: First Thursday of each month
Option 4: Third Thursday of each month

Time: Considering staff time, it is recommended to schedule the meeting during regular business hours anywhere from 9am to 4pm.

FISCAL IMPACT
There is no fiscal impact in determining the regular meeting schedule.

Prepared by: Jacquelyn Rojas, Administrative Analyst II

Administrative Report

TO: **Public Safety Commission**

FROM: **Lindy Palmer, Public Works Director**

MEETING DATE: **August 3, 2026**

SUBJECT: **Draft Speed Hump Policy**

RECOMMENDATION

Review the draft Speed Hump Policy and provide feedback to staff for further refinement.

DISCUSSION

In direct response to guidance from the City Council from the June 23, 2026 regular meeting, staff recommend that the Public Safety Commission conduct a review of the draft speed hump policy.

Staff conducted a review of speed hump policies from municipalities throughout the County of Ventura, with particular attention to the County of Ventura's Speed Hump Policy. This policy served as the reference standard and “starting point” for the Public Works Department, most notably during the installation of speed humps on Drown Ave. Ojai possesses unique characteristics that distinguish it from unincorporated county areas. As a result, staff recommends modifications to the County criteria to more closely align with Ojai's specific needs and context.

The key elements of the proposed draft policy, with Ojai-specific modifications noted, are as follows:

1. Policies (Modified from County of Ventura Speed Hump Policy)

Policy	County of Ventura Standard	Proposed Ojai Modifications
Petition	Minimum of 67% of the property owners along the street(s) listed must approve of the installation of these speed humps/cushions.	Minimum of 67% of the property owners along the street where the devices are to be installed as well as the residents on the immediately adjoining street(s) must approve of the installation of the speed humps
Installation/Removal	Additions, alterations, or removals of any or all speed humps/cushions may be directed at any time	None
Emergency Response	The County must notify Ventura County Fire Protection District, the Sheriff's Department, and the California Highway Patrol.	None
Speed Hump Costs	Must be paid by the property owners who sign the required petition	City will cover these costs
Policy Review	The Transportation Department will reassess the speed-hump/cushion program and report to the Board of Supervisors at approximately five-year intervals.	The Public Safety Commission will review the policy as they deem applicable or as requested by the City Council

2. Eligibility Criteria (Modified from County of Ventura Speed Hump Policy)

Criteria	County of Ventura Standard	Proposed Ojai Modifications
Street Classification	Residential and local roads only	None
Speed Limit	Only residential or local roads of 25mph or less	None
Speed Survey	More than 67 percent of motorist exceed the 25mph speed limit	None
Street Width	Must have a paved width of 40 feet or less and no more than two traffic lanes	None
Traffic Volume	The average week day traffic volume must exceed 1,000 vehicles in a 24-hour period.	None
Street Characteristics	No speed hump/cushion may be installed on any street with: - Severe horizontal or vertical curves - Inadequate sight distance to the humps/cushions - Excessive street downgrades	None

The policy also aligns with AB 43 (2021), which expanded local agencies' authority to set context-appropriate speed limits, particularly on streets with high pedestrian and cyclist activity. While AB 43 specifically addresses speed limit setting, the legislative intent of prioritizing vulnerable road users supports the adoption of physical traffic calming measures like speed humps.

All installations must comply with VCFPD Ordinance No. 34, Section D111.14.2, which requires Fire District approval of speed hump plans and compliance with Fire District standards. Speed bumps are prohibited on fire apparatus access roads.

FISCAL IMPACT

The cost of speed hump installation varies depending on the type (temporary vs. permanent), material, and number of humps per street segment. Funds have been budgeted for t FY 26/27 in the Capital Improvement Fund in the amount of $100,000. Staff will return to Council with a specific budget request if demand exceeds available funds.

Prepared by: Jacquelyn Rojas, Administrative Analyst II

ATTACHMENT(S)

A. County of Ventura Modified Policy for City of Ojai
B. Comparison and Listing of Speed Hump Policies from Various Municipalities

ATTACHMENT A

SPEED HUMP/CUSHION GUIDELINES

CITY OF OJAI

PUBLIC WORKS DEPARTMENT

CITY OF OJAI

SPEED HUMP/CUSHION POLICY

Approved by the City Council on XX/XX/XXXX

	POLICIES
1	Speed humps/cushions will be installed only: • If the location meets the warrants established by the City Council. • Upon receipt of the required petition or when the Public Works Director or their designee initiates the proposal -and- • The City Council approves the request -and- • In conformance with the standard design in effect at the time of installation. A petition for installation of speed humps/cushions must be signed by a minimum of 67% of the property owners on the street or the portion of the street affected concurring in the proposed installation.
2	Since speed humps/cushions are in the travel way, additions, alterations, or removals of any or all speed humps/cushions may be directed at any time.
3	Prior to the approval of new speed humps/cushion on any street, the Public Works Director shall notify the Ventura County Fire Protection District, the Sheriff's Department, and the California Highway Patrol.
4	Speed-hump/cushion construction costs shall be paid by the City.
5	The Public Works Department will reassess the speed-hump/cushion program and report to the City Council at approximately five-year intervals. Critical program issues that require Council action prior to the five-year review will be scheduled for policy guidance.

CITY OF OJAI

SPEED HUMP/CUSHION CRITERIA

Approved by the City Council on XX/XX/XXXX

	CRITERIA	Satisfied	
		Yes	No
1	The road must be either a residential road or a local road defined as follows: a. A residential road, or "residence district," as defined in California Vehicle Code Section 515 is that portion of a highway and the property contiguous thereto, other than a business district, (a) upon one side of which highway, within a distance of a quarter of a mile, the contiguous property fronting thereon is occupied by 13 or more separate dwelling houses or business structures, or (b) upon both sides of which highway, collectively, within a distance of a quarter of a mile, the contiguous property fronting thereon is occupied by 16 or more separate dwelling houses or business structures. A residence district may be longer than one-quarter of a mile if the above ratio of separate dwelling houses or business structures to the length of the highway exists. The "residence district" determination must be consistent with California Vehicle Code Section 240. Buildings must be located within 75 feet of the roadway curb face or edge of pavement and they must face and gain access from the road, to be considered as "fronting" on the road. b. A local road is defined for the purpose of this guideline as a road intended primarily to provide direct access to abutting residential buildings. Residential buildings Include separate dwelling houses, apartment buildings, or multiple dwelling houses.		
2	The speed limit on the road must be 25 miles per hour or less, established in accordance with State law or City Council action.		
3	A speed survey must show that 67 percent of the motorists exceed the posted miles-per-hour speed limit.		
4	The road must have a paved width of 40 feet or less and no more than two traffic lanes.		
5	The average traffic volume must be greater than 1,000 vehicles in a 24-hour period.		
6	No speed hump/cushion may be installed on any street where the Public Works Director or their designee determines it cannot be safely installed due to: a. Severe horizontal or vertical curves b. Inadequate sight distance to the humps/cushions c. Excessive street downgrades		
7	No speed hump/cushion may be installed on any street where the Public Works Director or their designee determines it will create equal or greater traffic problems by causing traffic diversion to a nearby residential or local road.		

City of Ojai

SPEED HUMP/CUSHION APPLICATION

PUBLIC WORKS D EPARTMENT

408 South Signal Street, Ojai, CA 93023
(805) 646-5581 ext. 200

THIS SECTION TO BE COMPLETED BY APPLICANT
The undersigned requests the construction of speed humps/cushions on the following City-maintained street: Street Name: _____
Between: and

I understand speed humps/cushions are still considered an experimental roadway feature and are an evolving technology. I understand a minimum of 67% of the property owners along the street(s) listed above or along the petition portion of the street(s) must approve of the installation of these speed humps/cushions. Attached to this application is a petition with the signatures of 67% of the affected property owners. I understand the Public Works Department will review the speed hump/cushion policy every five years. I understand the City may revoke this application and remove the speed humps/cushions at any time at the City's discretion.

Applicant: _____

Number and Street: _____

City and Zip Code: _____

Phone: _____

Signature of Applicant: _____

Date: _____

THIS SECTION TO BE COMPLETED BY THE TRANSPORTATION DEPARTMENT		
The Public Works Department approves this application for the activities described above subject to the special conditions listed below: Special Conditions: _____		
Approved by: _____ Date: _____		
		CONSTRUCTION COMPLETION Inspector:
		Date:

When approved – copies to Applicant, Ventura County Fire Protection District, Ventura County Sheriff's Department, California Highway Patrol, emergency medical services agencies, and others as directed by the Public Works Director, City of Ojai.

CITY OF OJAI

PUBLIC WORKS

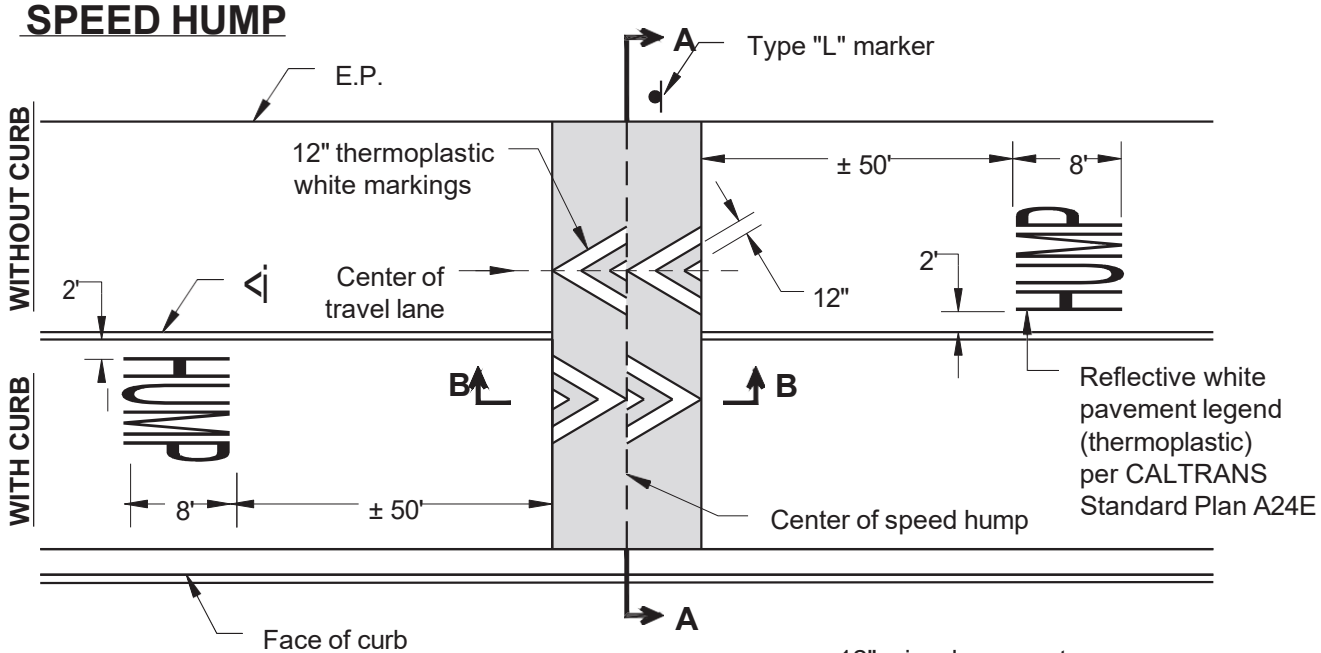
PETITION OF AFFIRMATION FOR THE INSTALLATION OF SPEED HUMPS/CUSHIONS

Before you sign this petition, know what you are signing. It is recommended that you first experience similar installations on other streets. You should also read the speed hump/cushion policies and speed hump/cushion guidelines.

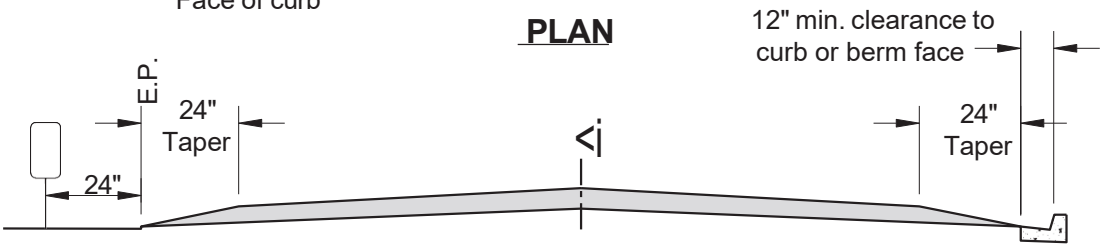
We, the undersigned residents of _____, do hereby petition the Public Works Department of the City of Ojai to install ___ speed humps/cushions on the subject street between _____ and _____Contact number for petition is (____) _____.

	SIGNATURE	PRINT NAME	PRINT ADDRESS
1			
2			
3			
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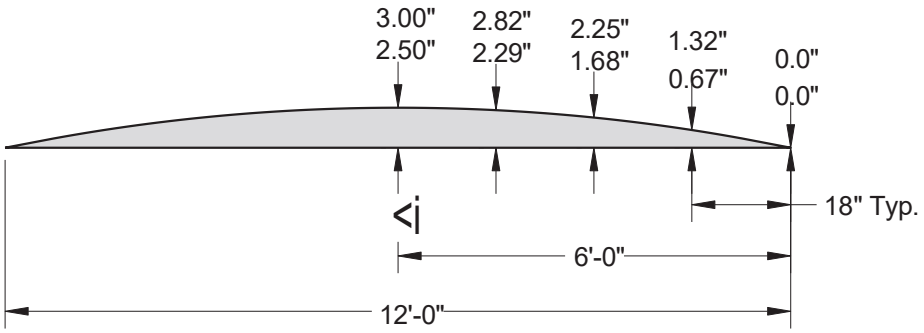
SPEED HUMP



PLAN



SECTION A-A



SECTION B-B

NOTES:

1. Speed humps may be installed only if approved by the City Council or their designee.
2. Speed hump height greater than 3" requires City Council approval for design & height.
3. A warning sign stating "Speed Hump" (W17-1) shall be placed at the approach to the first hump. Signs shall be of high intensity sheeting (30"x30"). Co-mount a W13-1 "10 MPH" (24"x24") warning sign per CALTRANS standards.

ADOPTED CITY COUNCIL : XX/XX/XXXX

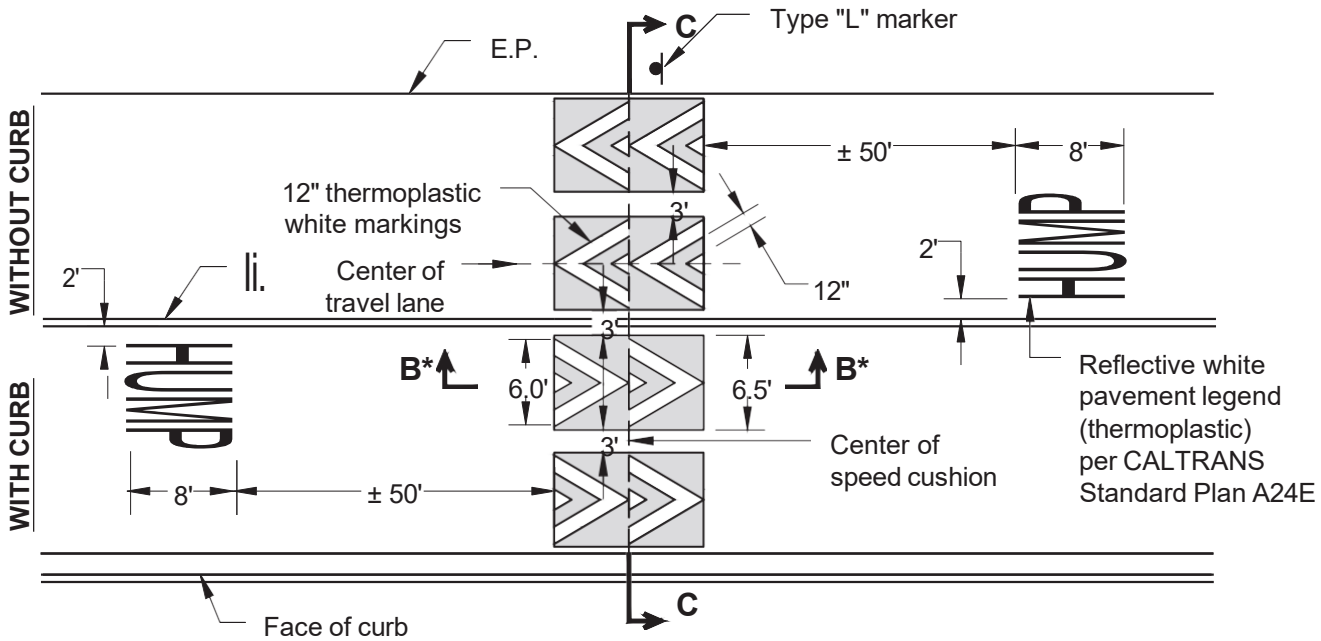
REVISION DATE:	DESCRIPTION:	APPROVED BY:
		RECOMMENDED BY:

CITY OF OJAI PUBLIC WORKS DEPT

ROAD STANDARDS

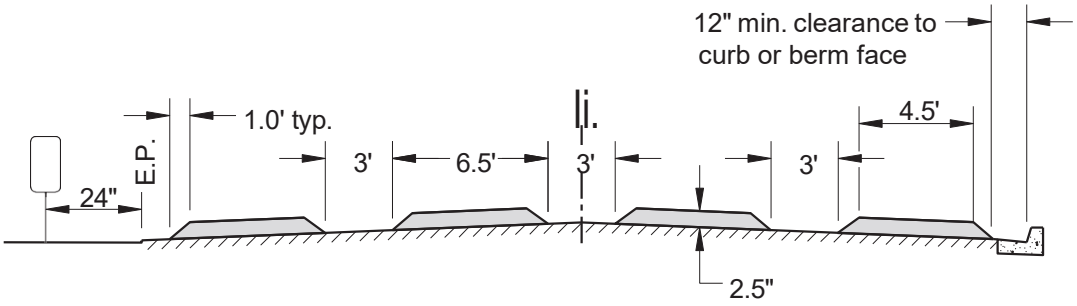
SPEED HUMP/CUSHION

SPEED CUSHION



PLAN

B* See Section B-B on Speed Hump Road Standard Plate E-9, sheet 1 of 4



SECTION C-C

NOTES:

1. Speed cushions may be installed only if approved by the City Council or his designee.
2. A warning sign stating "Speed Hump" (W17-1) shall be placed at the approach to the first cushion. Signs shall be of high intensity sheeting (30"x30"). Co-mount a W13-1 "10 MPH" (24"x24") warning sign per CALTRANS standards.
3. For two-lane roads with a traveled way width of 24' or less, use the design shown above while omitting the two outer speed cushions.

ADOPTED BY CITY COUNCIL: XX/XX/XXX			CITY OF OJAI PUBLIC WORKS DEPT
REVISION DATE:	DESCRIPTION:	APPROVED BY:	ROAD STANDARDS
			SPEED HUMP/CUSHION
		RECOMMENDED BY:	

ATTACHMENT B

COMPARISON OF SPEED HUMP POLICIES FROM VARIOUS MUNICIPALITIES

MUNICIPALITY	POLICY	CRITERIA
City of Agoura Hills	**Petition:** Requires 60% of property owners along the street(s) must approve. **Installation:** The construction, markings and warning of the hump shall comply to current standards developed by the City's Public Works Department. **Speed Hump Cost:** City covers cost. **Policy Review:** The City Council is to make the final determination on all speed humps.	**Street Classification:** Must be at least ¼ mile long. Must be local streets. Streets that extend from ones with existing humps may qualify, unless interrupted by an arterial road. **Speed Limit:** At least 60% of traffic must exceed the 25 mph limit. Specialized enforcement must be attempted first. **Traffic Volume**: Minimum of 2,000 vehicles per day or 200 vehicles per hour during peak periods. **Street Characteristics:** Streets with speed-related accidents or higher traffic volumes receive priority. Street grade must not exceed 6%, with limited exceptions up to 10% for very short segments.
City of Camarillo	No Formal Policy	
City of Fillmore	No Formal Policy	
City of Oxnard	**Petition**: The applicant must gather signatures from at least 67% (two-thirds) of designated area residents. **Installation:** Traffic Engineering staff shall prepare and maintain current design standards and installation in accordance with this policy. The final location of all speed humps will be determined by City staff in accordance with the City of Oxnard Standards. **Emergency Response:** The travel speed of emergency vehicles may be impacted by speed humps and the volume of emergency vehicles traveling through an area with speed humps may be reduced. **Speed Hump Cost:** Once returned, the application and petitions are reviewed, ranked, and submitted to the City Council for budget approval. **Policy Review:** Traffic Engineering staff will conduct the necessary traffic engineering studies and determine the street's eligibility for speed hump installation.	**Street Classification**: Must be a local road or residence district, not a major/minor arterial, collector, emergency, bus, or truck route. **Speed Limit:** Must have a posted speed limit of 25–30 MPH. Must have an 85th percentile speed at least 7 MPH over the posted limit, or at least 2 speed-related crashes in the past 12 months. **Speed Survey:** The Traffic Engineering Division will perform a traffic study of the area in question prior to making a determination. This process can take approximately two (2) months to complete. **Street width:** 44 feet or less, with no more than 2 lanes. Must not have sharp curves, steep grades (>5%), or poor visibility. Speed humps cannot be placed within 250 feet of intersections or traffic controls. **Traffic Volume:** Must carry over 500 vehicles per day. **Street Characteristics:** Minimum uninterrupted length: 1,000 feet (no stop signs/traffic signals).

COMPARISON OF SPEED HUMP POLICIES FROM VARIOUS MUNICIPALITIES

MUNICIPALITY	POLICY	CRITERIA
City of Santa Clarita	**Petition:** A property owner must submit a Speed Cushion Study Request Form and collect signatures from at least 10% of abutting property owners to initiate evaluation. If the street meets minimum criteria, the City sends a survey to all abutting property owners. At least 67% must support installation. **Installation:** If all criteria are met, the street is placed on the City's speed cushion priority list. Installation proceeds based on available funding and City Council approval. **Emergency Response:** City staff will collect traffic speed, volume, and accident data, and consult with the Sheriff's Department, Fire Department, and Transit Division to assess the request. **Speed Hump Cost:** The City is responsible for all costs associated with studying, formal surveying, and installing speed cushions and is also responsible for the ongoing maintenance of the speed cushions. **Policy Review:** City staff will conduct a formal evaluation, including collecting traffic speed and volume measurements and reviewing the traffic accident history for the subject street.	**Street Classification:** Residential streets. **Speed Limit:** Have a speed limit of 25 mph and 85% of vehicles travelling at 30 mph or greater. **Speed Survey:** City staff will conduct a formal evaluation, including collecting traffic speed and volume measurements and reviewing the traffic accident history for the subject street. **Street Width:** 34 to 40 feet. **Traffic Volume:** Have at least 1,500 vehicles using it every day, **Street Characteristics:** Be at least 500 feet long, have only one lane in each direction, and not exceed an average sustained grade of six percent.

COMPARISON OF SPEED HUMP POLICIES FROM VARIOUS MUNICIPALITIES

MUNICIPALITY	POLICY	CRITERIA
City of Santa Paula	**Petition:** A petition for installation of speed humps/cushions must be signed by a minimum of 67% of the property owners on the street or the portion of the street affected concurring in the proposed installation. **Installation:** Since speed humps/cushions are located in the travel way, additions, alterations, or removals of any or all speed humps/cushions may be directed at any time at the City's discretion. **Emergency Response:** Prior to the approval of new speed humps/cushions on any street, the City Engineer shall notify the Ventura County Fire Protection District, the City of Santa Paula Police Department, and the California Highway Patrol, and shall receive documentation of either approval or non-objection from these agencies. **Speed Hump Cost:** Petitioners must deposit with the Public Works Department funds in escrow in the estimated amount of the cost of installation of the speed humps/cushions before the work is authorized. Speed-hump/cushion construction costs shall be paid by the property owners who sign the required petition. **Policy Review:** The Public Works Department will reassess the speed-hump/cushion program and report to the City Council at approximately five-year intervals. Critical program issues that require City Council action prior to the five-year review will be scheduled for policy guidance.	**Street Classification:** Residential streets. **Speed Limit:** The speed limit on the road must be 25 miles per hour or less, established in accordance with State law or City Council action. **Speed Survey:** A speed survey must show that 67 percent of the motorists exceed the 25mph speed limit. **Street Width:** The road must have a paved width of 40 feet or less and no more than two traffic lanes. **Street Characteristics:** Speed humps shall not be located on sharp horizontal curves.

COMPARISON OF SPEED HUMP POLICIES FROM VARIOUS MUNICIPALITIES

MUNICIPALITY	POLICY	CRITERIA
City of Thousand Oaks	No Formal Policy	
City of Ventura	No Formal Policy	
City of Westlake Village	**Petition:** A request may be made in writing by any resident, any homeowner's association, or may be initiated by the City Council. The City will publish notice of a public hearing and have a mail notice to all property owners within 300' of the street segment involved. **Installation:** Speeds humps are still considered experimental roadway features. Therefore, additions, alterations, or removals or any or all speedhumps may occur at any time. **Speed Hump Cost:** If the installation is approved by the City Council and if funding is available, the City will design and install the speed humps. **Policy Review:** The request will be presented to the City Council at a noticed public hearing. After receiving testimony, the City Council will decide if the requested speed humps will be installed.	**Street Classification:** Residential streets. **Speed Limit:** The speed limit on the street must be 25 miles per hour established in accordance with State law or City Council action. **Speed Survey:** A speed survey must show that more than 67% of the motorists exceed the 25 mile per hour speed limit. **Street Width:** The street must have a paved width of 40 feet or less. The street must have no more than two traffic lanes. **Traffic Volume:** The average traffic volume must be greater than 1,000 vehicles, total in both directions, in a 24-hour period on an average weekday. **Street Characteristics:** The street segment on which speed humps are proposed must be at least 1/4 mile long. The street must generally have a longitudinal grade of 5% or less, although grades exceeding 5% may be acceptable for relatively short road segments.
County of Ventura	**Petition:** Requires 67% of property owners along the street(s) must approve. **Installation:** Additions, alterations, or removals of any or all speed humps/cushions may be directed at any time **Emergency Response:** The County must notify Ventura County Fire Protection District, the Sheriff's Department, and the California Highway Patrol. **Speed Hump Cost:** Must be paid by the property owners who sign the required petition. **Policy Review:** The Transportation Department will reassess the speed-hump/cushion program and report to the Board of Supervisors at approximately five-year intervals.	**Street Classification:** Residential and local roads only. **Speed Limit:** Only residential or local roads of 25mph or less. **Speed Survey:** More than 67 percent of motorist exceed the 25mph speed limit. **Street Width:** Must have a paved width of 40 feet or less and no more than two traffic lanes. **Traffic Volume**: The average week day traffic volume must exceed 1,000 vehicles in a 24-hour period. **Street Characteristics:** No speed hump/cushion may be installed on any street with: Severe horizontal or vertical curves, inadequate sight distance to the humps/cushions, excessive street downgrades.

Administrative Report

TO: **Public Safety Commission**

FROM: **Lindy Palmer, Public Works Director**

MEETING DATE: **August 3, 2026**

SUBJECT: **Report of Traffic Calming Requests**

RECOMMENDATION

Receive and file the report detailing the traffic calming requests submitted to staff, which will be scheduled for evaluation. Staff will present the status of these pending requests and consider establishing a formal policy or criteria framework for measures such as stop signs, curb painting, and other related traffic calming strategies, in alignment with the Commission's responsibilities under Ordinance No. 972.

DISCUSSION

Staff receive traffic-related requests from the public on a frequent and ongoing basis. Without an adopted policy or established criteria, each request is evaluated on a case-by-case basis, in alignment with Ojai Municipal Code and California Vehicle Code. Other municipalities in Ventura County have addressed similar challenges by adopting formal policies with defined eligibility criteria for traffic calming devices.

The City is currently drafting a Speed Hump Policy modeled in part on the County of Ventura's policy, with modifications tailored to Ojai's unique characteristics. Staff believe a similar policy framework could be beneficial for other commonly requested traffic calming measures, including:

- Stop sign installations – Currently evaluated on a case-by-case basis; a policy could establish warrants and criteria for when a stop sign is appropriate.
- Curb painting (red curbs, crosswalk markings) – Frequently requested by residents near schools, intersections, and driveways; a policy could define eligibility and process.
- Speed Surveys – Currently evaluated on a case-by-case basis; speeding on streets is reported to our traffic officer for increased enforcement; staff can conduct traffic counts with portable traffic data collector.

FISCAL IMPACT

No fiscal impact at this time. Any future policy adoption or capital expenditure associated with traffic calming installations would be brought back to the City Council for budget approval.

Prepared by: Jacquelyn Rojas, Administrative Analyst II

ATTACHMENT(S)

A. List of Pending Traffic Calming Requests

ATTACHMENT A

List of Traffic Calming Requests

Date Requested	Location	Request	Notes
1/13/2026	Intersection of Canada St and Oak St	Four-way stop sign	This was submitted via My Ojai.
3/8/2026	Intersection of Canada St and W Summer St	Four-way stop sign	
3/25/2026	Aliso St	More stop signs at intersections and more 25mph signs	This request came from public comment at the March 25, 2026 regular council meeting. There isn't much detail as far as where the stop signs and additional mph signage should go.
3/27/2026	Cuyama Rd (Between Del Norte and El Paseo)	Speed hump installation	Per speed limit survey conducted early 2025 the speed limit on Cuyama from Del Norte to El Paseo Rd was reduced from 25 to 20 mph. Cuyama Rd is scheduled for paving for Year 4 of PMP, 2027 (Fiscal Year 27/28).
4/27/2026	Drown Ave	Speed hump installation	Requester did not indicate N or S Drown Ave.
5/11/2026	Gridley Rd	Speed hump installation	Gridley Rd is scheduled for paving for Year 3 of PMP, 2026 (Fiscal Year 26/27).
5/21/2026	Intersection of Franklin St and Montgomery St	Add stop sign and crosswalk to make intersection safer.	This request comes from the CDD with regard to the Habitat for Humanity housing project. Montgomery St is scheduled for this year's paving project. Year 2 of PMP, 2025 (Fiscal Year 26/27).
6/20/2026	Aliso St (Between Canda St and Foothill Dr)	Requesting a speed survey.	The requestor is Concerned about cut through traffic, volume increasing curing commuter hours, and speeding. The suggested speed hump and stop signs at Rincon or Mallory Way.This was submitted via email to Public Works.