



NOTICE OF ADMINISTRATION COMMITTEE MEETING

Covering Policy, Administration and Community
Relations/Communications

NOTICE IS HEREBY GIVEN that the San Lorenzo Valley Water District has called a regular meeting of the Administration Committee to be held on Tuesday, October 14, 2021, 9:00 am, via video/teleconference.

<https://global.gotomeeting.com/join/700027325>

You can also dial in using your phone.
(For supported devices, tap a one-touch number below to join instantly.)

United States (Toll Free): 1 866 899 4679
- One-touch: <tel:+18668994679,,700027325#>

United States: +1 (571) 317-3116
- One-touch: <tel:+15713173116,,700027325#>

Access Code: 700-027-325

AGENDA

1. Convene Meeting/Roll Call
2. Oral Communications
This portion of the agenda is reserved for Oral Communications by the public for items which are not on the Agenda. Please understand that California law (The Brown Act) limits what the Board can do regarding issues raised during Oral Communication. No action or discussion may occur on issues outside of those already listed on today's agenda. Any person may address the Committee at this time, on any subject that lies within the jurisdiction of the District. Normally, presentations must not exceed three (3) minutes in length, and individuals may only speak once during Oral Communications. Any Director may request that the matter be placed on a future agenda or staff may be directed to provide a brief response.
3. New Business:
Members of the public will be given the opportunity to address each scheduled item prior to Committee action. The Chairperson of the Committee may establish a time limit for members of the public to address the Committee on agenda items.
 - A. PUBLIC COMMITTEE MEMBER RESIGNATION
Discussion by the Committee and staff regarding the resignation of M. Bounds.

4. Old Business:
Members of the public will be given the opportunity to address each scheduled item prior to Committee action. The Chairperson of the Committee may establish a time limit for members of the public to address the Committee on agenda items.
- A. ONBOARDING PROGRAM
Discussion and possible action by the Committee regarding the Onboarding Program.
- B. BOARDROOM FACILITIES FOR HYBRID MEETINGS
Discussion regarding possible meeting location(s) for future Board of Directors and Committee meetings.
5. Informational Material:
Here is a link <https://www.slvwd.com/node/286/minutes> to previous Admin Committee meeting minutes.
6. Adjournment

Agenda documents, including materials related to an item on this agenda submitted to the Committee after distribution of the agenda packet, are available for public inspection and may be reviewed at the office of the District Secretary, 13060 Highway 9, Boulder Creek, CA 95006 during normal business hours. Such documents may also be available on the District website at www.slvwd.com subject to staff's ability to post the documents before the meeting.

Certification of Posting

I hereby certify that on October 8, 2021 I posted a copy of the foregoing agenda in the outside display case at the District Office, 13060 Highway 9, Boulder Creek, California, said time being at least 72 hours in advance of the regular meeting of the Admin Committee of the San Lorenzo Valley Water District in compliance with California Government Code Section 54956.

Executed at Boulder Creek, California, on October 8, 2021.

Holly B. Hossack, District Secretary
San Lorenzo Valley Water District

MEMO

TO: ADMINISTRATION COMMITTEE
FROM: DISTRICT MANAGER
SUBJECT: PUBLIC COMMITTEE MEMBER RESIGNATION
DATE: OCTOBER 12, 2022

RECOMMENDATION:

It is recommended that the Administration Committee accept M. Bounds resignation and discuss the possibility of replacing her on the Committee.

BACKGROUND:

On September 13, 2021, the District Secretary received an email from M. Bounds resigning from the Administration Committee citing work conflicts as the reason for the resignation. The Committee has the option of replacing her or leaving the vacancy open for the last two meetings of 2021.

Holly Hossack

From: M'Liss Bounds <boundses@gmail.com>
Sent: Monday, September 13, 2021 10:26 AM
To: Holly Hossack
Cc: Amanda DeJesus; Bob Fultz; Mark Dolson; Rick Rogers; Jayme Ackemann; gnicholls@nossaman.com; M'Liss Bounds; Chelsea Sladwick
Subject: Re: Regular Admin Committee Meeting

All,

I apologize for being such a disappointing Admin Committee member. Changing jobs did not afford me the extra time that I had hoped and I have been unable to attend any meetings. I am so very sorry for that. This is not the way that I work. I am unfortunately going to have to step down from my position. I have enjoyed working with you all and getting to know the work that the Water District does. Keep up the good work.

All the best,

M'Liss

On Fri, Sep 10, 2021 at 8:55 AM Holly Hossack <hhossack@slvwd.com> wrote:

This is the regularly scheduled meeting of the Admin Committee, please let me know if you will not be able to attend this meeting as soon as you can so that we can confirm a quorum.

Thank you,
Holly

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/700027325>

You can also dial in using your phone.

(For supported devices, tap a one-touch number below to join instantly.)

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<https://global.gotomeeting.com/install/700027325>

MEMO

To: Administrative Committee
From: District Manager
Subject: Onboarding Program for Board and Committee Members
Date: October 12, 2021

Recommendation

It is recommended that the Administration Committee review the following information and prepare an Onboarding Program for the District.

Background

At the January 19, 2021, meeting of the Administration Committee the Committee prepared a multi-month calendar of action items for the committee. The calendar included an Onboarding Program for Board and Committee Members.

At the May 11, 2021, and June 8, 2021, meetings of the Administration Committee the Committee directed staff to prepare Onboarding Documents specific to the District. Attached are the draft documents for review. **Staff is also updating the Brown Act information and will include that information in a future packet.**

The highlighted sentence will be changed to include information Gina when she presents information to the October 7 BoD meeting.



San Lorenzo Valley Water District Board Best Practices

1. Introduction

The San Lorenzo Valley Water District (District) Board of Directors (Board) and the District Manager understand the importance and value of a positive and constructive approach to the overall performance of the District. This approach is a product of the District's strategic vision and the goal of performing to the utmost, both individually and organizationally. Whether in the capacity of a Director or as an employee, our primary responsibilities are to serve the District's customers and support the community.

The Board has adopted a District mission and strategic goals to set the direction for operating activities, which are guided by policies and procedures including the Board Best Practices. In order for the Board to function in an effective manner, it is important that Directors understand their respective roles and relationship to other Directors and the District Manager. This also requires an understanding of the level of performance necessary to carry out the duties of a Director.

This document is intended to serve as an internal document to provide general guidelines and principles relating to the activities of the Board and the Directors.

2. Role of the Board

The primary role of the Board is to establish policies that guide the District to fulfill its mission. The policy decisions of the Board constitute the "action" of the Board. As such, each Director is strongly encouraged to support the actions of the collective Board even when there may be individual opinions.

The Board has three (3) major responsibilities:

- (1) Promoting the interests of the District's customers by establishing policies that support the mission of the District by ensuring the implementation of those policies. Policies include the governing principles, plans, programs, and other overarching actions of the organization. Policy-making is the process of visionary planning and should reflect the broadest possible principles and provide parameters within which staff can operate. Policy-making sets the overall direction for the District.

- (2) Overseeing the fiscal health of the District. The Board establishes policies that support fiscal stability and the effective use of District funds. In order to achieve this, the Biennial Budget will be reviewed each fiscal year. The Board approves a budget covering the anticipated revenues and expenditures of the District. In addition, the Board establishes and monitors cash reserves and investment policies.
- (3) Hiring a District Manager to manage the day-to-day operations of the District. The Board holds the District Manager accountable for the effective operational management of the District. It also has a responsibility to properly evaluate the District Manager on an annual basis.

General Guidelines

- The Board provides policy direction and leadership for the District.
- The Board supports decisions (from a policy perspective) which are in line with a progressive, innovative, and well-managed organization.
- The Board exercises authority only as a Board.
- The Board understands and provides leadership in regional, state, and national issues affecting the operation and management of the District. Board action is supported by the District Manager as required.
- The Board respects the role of constituents in the governance of the District, encourages their participation, and consults with key stakeholders when and where appropriate.
- Directors recognize and respect the distinctions between the policy-setting role and the day-to-day implementation of policy by staff.
- Directors represent the District in various community and water industry events.
- Directors maintain a high level of communication with the District Manager and notify the District Manager of their unavailability in a timely manner.
- Directors have equal access to information authored and received by the District.
- Directors inform the District Manager of any specific information they want to receive from outside agencies or organizations and are provided such information in a timely manner.
- Directors may request information from District staff by notifying the District Manager of such requests provided such requests do not cause significant disruption in staff work-load. The District Manager determines if it is warranted to include the requested information on the Board or Committee meeting agendas.

3. Principles and Performance Expectations of the Board

- The Board and the District Manager function as a participatory team.
- The Board values a visionary, constructive, and high-energy work environment.

- The Board values open and honest communication with transparent agendas.
- The Board works for the common good of its customers and stakeholders and not for any private or personal interest.
- Directors are expected to review agenda packets and attend Board and Committee meetings prepared to take action as needed.
- Directors practice continued professional development.
- Directors are respectful of each other, District staff, and the community.

The Board recognizes the value of diverse representation as well as shared knowledge and continuity of experience. The District is committed to providing the Directors with appropriate resources to maximize their contributions for the benefit of the District and larger water community.

Pursuant to the Board Policy Manual, the Directors are entitled to the following:

- Director's fee for attending meetings and events related to District business. The fee amount is consistent with provisions contained in California Water Code and is established by a resolution of the Board.
- Reimbursement of expenses incurred in connection with carrying out their official duties in accordance with District regulations.

4. Board Interaction and Communication

- Directors maintain informal and professional relationships among each other.
- Directors refrain from personal attacks against other Directors and District staff.
- Directors are representatives of the District at all times, and lead by example in their interactions.
- Directors are knowledgeable of and adhere to the District's policies.
- When attending meetings or conferences, Directors act as ambassadors and representatives of the District and conform to behavior that always places the District in a positive light.
- Directors will apply the rules governing communications among Directors in compliance with the Brown Act.
- Directors function as a team and are not exclusive in their communications and interactions.

5. Role of the District Manager and Legal Counsel

Role of the District Manager

- The most vital relationship in the District is between the Board and the District Manager.
- The District Manager is the primary agent of the Board and is the individual to whom

the Board delegates its authority to manage and administer the District's daily operations in accordance with policies approved by the Board. This position is important because the District requires leadership and vision that supports the Board's guidance in order to be successful. In this capacity, the District Manager has two roles: Chief Executive Officer, and principal advisor to the Board. As the most visible employee, the District Manager represents the District to its many constituents.

- The success of the strong relationship between the Board and the District Manager depends on a shared sense of purpose, open communication, honesty, and mutual support. Both parties must also understand that the relationship itself is paradoxical with inherent tensions. The District Manager is hired to carry out Board policy directives, while at the same time looks to the Board for guidance and leadership.
- One of the most important decisions a Board makes is the selection of a District Manager in whom the Board has confidence. The Board must be able to support the decisions of the District Manager and grant the authority to manage and lead the District.
- It is the District Manager's responsibility to ensure that Directors have the information needed to make Board-level decisions. The District Manager provides the same information to all Directors and will promptly alert them about problems and issues to prevent surprises. Directors expect the District Manager to provide a recommendation on items before the Board.

Board Interaction with the District Manager

- The District Manager devises and proposes periodic performance goals for approval by the Board as a part of the formal performance review process.
- The Board provides the District Manager with constructive feedback during his/her annual performance evaluation.
- Directors are encouraged to contact the District Manager about any subject related to the operations of the District. Similarly, the District Manager may discuss any District related issue with any Director.
- The Board's questions or concerns regarding overall District operations, specific division issues, or problems with District staff are directed to the District Manager.
- The District Manager implements the Board's policy directions concerning District matters.
- The District Manager informs the Board when he/she will not be available for work-related duties.

Board Interaction with District Staff

- Directors do not direct staff to take a particular action. Requests are made through the

District Manager.

- Directors may contact members of the District’s executive team with questions related to pertinent District activities. When a Director makes direct contact with staff, the District Manager is advised by staff of the communication. The District Manager is responsible for ensuring that requests initiated by Directors are handled promptly and accurately.
- Critical information about District operations is provided to all Directors in written (electronic) format by an appropriate staff person with the knowledge of the District Manager.
- Directors make every effort to contact staff prior to a board meeting regarding questions related to agenda items so that staff can provide the most accurate and prepared response. The Board and staff operate by the “No Surprise Rule” regarding information sharing.

District Legal Counsel

- The District’s Legal Counsel is selected by the Board and operates as an extension of and in collaboration with the Board, the District Manager, and District staff.
- The Legal Counsel’s primary point of contact is the District Manager.
- From time to time, an individual Director may contact District Counsel directly; however, such contact should be infrequent and limited to no more than a half hour in any month unless the District Manager approves additional time for a particular matter.
- The Legal Counsel regularly consults with the Board and the District Manager on items of legal concern relating to District operations.
- The District’s Legal Counsel may be consulted prior to board agendas being posted publicly.
- When specialized legal expertise is needed, the District’s Legal Counsel may recommend the services of an expert legal counsel and oversee the work when necessary.
- The Legal Counsel is proactive in informing and protecting the District and the Board in the performance of its duties and compliance with its legal obligations.
- The Legal Counsel meets with District Manager and Board President periodically to review the performance of the Legal Counsel, establish goals, and review its contract.

6. Selection and Role of the President and Vice

President of the Board

- The President of the Board is selected by a majority vote of the Board at the last public Board meeting of each calendar year, unless otherwise modified. The newly elected President’s term begins when elected at that Board meeting.
- The President remains as one member of the Board and has no rights or authority different from any other Director. The President votes with the Directors.

- Each President's individual style is unique. Diversity is encouraged.
- The President chairs the meeting of the Board; calls the meeting to order, presides over the meeting, including the conduct of Directors and those in attendance, entertains and repeats all motions properly before the Board, puts motions to a vote, and announces the result.
- The President acts as the ceremonial head or representative of the District at various civic functions.
- The President is the designated spokesperson for the Board to the general public. The President may elect to appoint another Director to serve in this capacity.
- The President makes recommendations to the Board to establish or disband committees, or appoint committee members, all subject to Board approval.
- To the extent possible, the President advises the Board of any informal communication or correspondence sent or received regarding District business.
- The President regularly communicates with the District Manager and keeps other Directors fully informed on matters of District business.
- The President provides guidance to the Board fairly and impartially.
- The President personally addresses any issues between Directors. Directors and the District Manager will inform the President on any issue or concern brought to their attention.

Vice President of the Board

- The Vice President of the Board is selected by a majority vote of the Board at the last public Board meeting of each calendar year, unless otherwise modified. The newly elected Vice President's term begins when elected at that Board meeting.
- The Vice President remains as one member of the Board and has no rights or authority different from any other Director.
- In the event the position of the President is vacated prior to the expiration of the term, the Vice President becomes the President for the remaining term, unless otherwise directed by the Board.
- The Vice President serves in the capacity of the President of the Board in the absence of the President.

7. Public Interaction

- All customer concerns and inquiries are referred to the General Manager or an appropriate staff member.
- The Board is informed of significant, politically sensitive, urgent and/or repetitive communication inquiries. Staff researches the request as soon as possible and provides the District Manager with the appropriate follow-up and response. The District Manager

will review the communication prior to dissemination to the Board.

- Information on an issue that may expose the District to liability is shared with District Counsel and the Board promptly at a properly-noticed closed session meeting.

8. Board Meetings

General

- All noticed meetings are conducted using Robert’s Rules of Order.
- The District Manager is responsible for setting the agenda with the assistance and counsel of the Board President. Any Director may request that an item be placed on the agenda through notification to the District Manager and/or the President. If a member of the public requests that a matter be placed on the agenda, the District Manager and the President will determine if the item is placed on the agenda or referred to staff or an appropriate committee.
- The District Manager meets with the President to review the agenda and prepare for the upcoming meeting.
- Oral communications are allowed for items not on the agenda, provided that a final decision of the Board on a matter is subject to the agenda requirements set forth in the Brown Act.
- Directors give due respect to all public comments; however, they will not respond in a manner that suggests a decision has been made. The President will refer matters that need a decision to the District Manager for follow-up. Directors may ask clarifying questions so that staff are able to provide an appropriate and relevant response. Occasionally, a prompt response may be offered when an obvious answer or resolution is available. Directors will refrain from de-bating or making decisions in response to public comments.
- The President is responsible for maintaining an orderly progression of business before the Board, and to regulate the amount and type of input from the public, from Directors and staff.
- Each Director may speak on an item prior to the vote being taken.
- The Board works diligently to achieve unanimity on all action items. At the request of a Director, and the discretion of the President, prior to a vote where unanimity may not be achieved, the item may be referred back to a committee to consider a resolution to the issue.
- Once an agenda item has been voted on, the disposition is considered as the “action” of The Board and is subsequently supported by individual Directors.
- Directors on the minority side where a less than unanimous vote is cast cannot bring back an item for consideration for one year. A majority of the Board may bring a matter back for reconsideration at any time.

Consent Agenda

- The District utilizes a Consent Agenda to approve routine business matters and previously approved budgetary items.
- If a Director has a question on a Consent Agenda item they are encouraged to contact a staff member for clarification prior to the official meeting, rather than having it pulled for separate discussion during the meeting.
- Written staff reports are prepared for all Consent Agenda items, and staff is prepared to provide a verbal report on any item when necessary.

Closed Session

- All Closed Session discussions and materials are considered legal and confidential information and as such, are not shared outside the Closed Session Conference unless specific action is taken, and then must be reported out of Closed Session. Closed Session staff reports are re-turned to the General Manager immediately following the meeting. Electronic copies of the reports will not be provided.
- Closed Session meetings may be held at times other than the regular meetings of the Board so long as the meeting is posted pursuant to the Brown Act.
- A Director is expected to refer a request for information regarding a Closed Session item to the General Manager who, in concert with Legal Counsel, will prepare an appropriate response.

9. Role and Responsibility of Standing and Special Committees

- Board committees are given the authority to obtain more information, investigate, and provide a report or recommendation to the Board. The committee format allows the Board to conduct its business more efficiently. Committees serve in an advisory capacity to the Board.
- A standing committee may be formed, renamed, or have functions changed or terminated with approval of the Board.
- An Ad-Hoc committee may be formed with approval of the Board and its term expires upon reaching an assigned sunset date or completion of the project or issue for which the Ad-Hoc committee was formed.
- A standing committee consists of two Directors and no more than three public members. A committee chair is appointed from the Board members of the standing committee. Standing committee meetings are open to the public and subject to provisions of the Brown Act.
- Other Directors may attend the meetings of the standing committees; however, the Brown Act prohibits their participation in the meeting because this constitutes a quorum of the Board and is discouraged.

- Upon request of the committee members, the District Manager, or the President, a committee meeting may be scheduled to address an issue requiring attention.
- Staff assists members of standing committees by preparing agendas, staff reports, distributing materials, and performing other support functions as required. Committee members may request staff assistance through the District Manager.
- Copies of committee agendas are made available to the entire Board as well as the public.
- The committee chair is responsible for providing a report of items discussed and/or recommendations to the entire Board at the next available Board meeting.
- If committee members are in disagreement on a recommendation, the issue is brought to the full Board for consideration.



New Board Member Checklist

- Make an appointment to administer the Oath of Office & meet with the District Manager & District Counsel
- Notify County Elections of Appointment (if appointed)
- Send a copy of the Oath of Office to County Elections
- Request NetFile for Form 700 from the County
- Request SLVWD email from Network Specialist
- Request a brief biography and photo
- Update the website with New Board Member information
- Update the phone list
- Order Business Cards
- Order Nameplate
- Prepare Name Badge

Set Up Training:

- AB1234 Ethics (Vector Solutions)
- SB1343/AB1825 Harassment Prevention (Vector Solutions)

Receive and Forward to HR:

- W-4 Form
- EDD Withholding Allowance Certificate Form
- Payroll Intake Form
- DMV Authorization Form
- PAYCHEX Direct Deposit Enrollment Form

Send Information:

- Board Policy Manual
- Board Best Practices
- Organizational Chart
- Arrange a tour of the District
- Board Best Practice
- Board Development Guidelines
- Board Member Resources
- Office Phone List – for Board Members
- Order business cards (*if applicable*)
- League of CA Cities – Guide to the Brown Act
- League of CA Cities – Guide to the Public Records Act



New Committee Member Checklist

- Send Welcome Letter
- Update the website with New Committee Member information
- Order Nameplate

Send Information:

- Board Policy Manual – Committee Section
- Board Best Practices-Committee Section
- Organizational Chart
- Arrange a tour of the District
- League of CA Cities – Guide to the Brown Act
- League of CA Cities – Guide to the Public Records Act

Date

[Recipients Name]

[Address line]

[State, ZIP Code]

Subject: New Board Member

Dear [Recipients Name],

It is with pleasure that I welcome you as a Board Member on the San Lorenzo Valley Water District Board of Directors.

Our Board of Directors meets twice a month on the first and third Thursday. The next meeting will be on Thursday, January ____ and will start at 5:30 p.m. in the

_____.

Before your first Board of Directors meeting, I would like to schedule a brief onboarding session and a meeting with our District Manager and District Counsel. This meeting can be either in person or virtual. I have attached forms I need for you to complete and return to me as well as orientation materials. Please contact me to arrange a time to administer the oath of office in-person and sign the paperwork.

Our Board values ongoing education and development of its members and encourages regular attendance at Board meetings as well as other events, trainings and retreats that may be planned through the year.

Thank you for your willingness to serve our community.

Sincerely,

Holly Hossack
District Secretary/Admin Assistant

Date

[Recipients Name]

[Address line]

[State, ZIP Code]

Subject: New Committee Member

Dear [Recipients Name],

It is with sincere pleasure that I welcome you as a Committee Member on the SLVWD
_____ Committee.

Our Committees meets once a month on a date and time determined by the preference of the
Committee. The next meeting will be on ____day, January ____ and will start at ____p.m. in the
location_____.

Please bring your calendar to the first meeting because we will be discussing the day and time
for the regularly scheduled meeting for this year. We will also be electing a chair (must be a
Board member) and discussing the Committee's priorities for the first 3 months.

I have attached a copies of informational material for you to look at before your first meeting.

Our Board values the vital role that the public members of committees play in shaping the Dis-
trict. Thank you for your willingness to serve our community.

Sincerely,

Holly Hossack
District Secretary/Admin Assistant



**California Special
Districts Association**
Districts Stronger Together

Board Member/Trustee Resources

AFTER TAKING OFFICE

MUST HAVE

Frequency: every two years

ETHICS AB1234 (LIVE OR WEBINAR)

The basic thrust of AB 1234 is to require covered officials ...to take two hours of training in ethics principles and laws every two years.

"Basically the requirement applies to those elected or appointed officials who are compensated for their service or reimbursed for their expenses. The specific trigger for this requirement is whether the agency either compensates or reimburses expenses for members of any of its Brown Act covered bodies; if it does, then all elected and appointed "local agency officials" (as defined) must receive this training. "Local agency official" means any member of a legislative body or any elected local agency official who receives compensation or expense reimbursement." Those Beginning Service After January 1, 2006. Those who enter office after January 1, 2006 must receive the training within a year of starting their service. They must then receive the training every two years after that." - ILG

HARASSMENT PREVENTION (LIVE OR WEBINAR) 2 HOURS

Additional Resource:

Understanding the Basics of Public Service Ethics Laws (download)

BEST PRACTICES

Subject Areas for Board Members: Finance, Brown Act, CA Public Records Act, Liability

Frequency: at least once, ideally during first year in office - repeat as need with changes and updates to the law

INTRODUCTION TO SPECIAL DISTRICT FINANCES FOR BOARD MEMBERS (WEBINAR)

As a board member / trustee, your responsibilities include providing fiscal oversight of the special district's finances. This course will help you fulfill these responsibilities by providing you with the knowledge and tools you need to gain a better understanding of the flow of a special district's day-to-day transactions, accounting systems, and financial statements.

BROWN ACT COMPLIANCE (MOST OFTEN AVAILABLE AS WEBINAR)

This webinar will provide education for public officials and employees at all levels about the legal requirements and procedures to ensure public business is conducted in full compliance with California's transparency laws. Attendees will learn the Brown Act's requirements concerning agendas, meeting procedures, public participation and permissible closed session exceptions. Attendees will also learn about potential pitfalls that may lead to inadvertent violations as a result of the use of email, text messaging and social media as well as emerging issues and legislative updates.

CA PUBLIC RECORDS ACT (MOST OFTEN AVAILABLE AS A WEBINAR)

If you are involved with a special district, you need to understand the scope and application of the California Public Records Act (CPRA) to your agency's records, including best practices for records retention as well as responding to public records requests. We will cover the key aspects of the CPRA, including when an applicable exemption may give an agency the right to not disclose a particular record or portion of a record. There will also be updates on recent developments in the interpretation and application of the CPRA.

UNDERSTANDING BOARD MEMBER & DISTRICT LIABILITY ISSUES (WEBINAR)

Having a complete understanding of the potential liability issues in your district can prevent problems in the future and even assist with efficiency and communication protocols. This webinar is a discussion of the legal role of the Board in the management and operation of a public agency and the role of individual Board members acting within the course and scope of their official duties.

ON-DEMAND WEBINARS

Select from these offerings based on the needs of your district as well as your own professional development. New On-Demand Webinars are added throughout the year so be sure to check back frequently.

- Accessing Legislative & Outreach Information
- CA's Broad Conflict of Interest Law and How to Avoid It
- Completing Your Statement of Economic Interest - Form 700
- Election Law Compliance: The Rising Tide of CVRA Claims
- Exercising Legislative Authority
- Fraud Environment - Tips for Detection and Controls Survey
- General Manager Evaluations
- Getting Oriented: Resources for New Board Members
- Intro to Special District Finance for Board Members
- Public Engagement and Budgeting
- Understanding Board & District Liability Issues 2020
- Who Does What? Best Practices in Board/Staff Relations

Additional Resources:

- Update your CSDA Community Profile and Notifications
- Special District New Board Member Handbook (download)
- Parliamentary Procedure Quick Reference for Special Districts (download)
- California Public Records Act Compliance Manual for Special Districts (download)
- Brown Act Compliance Manual (purchase, CSDA Bookstore)
- Understanding Special District Board Member Compensation
- Special District Laws Reference Guide

MISSION CRITICAL

Frequency: First-time track should ideally be completed within your first year in office. Returning track as you are able in order to keep current and dive deeper into governance issues.

SPECIAL DISTRICT LEADERSHIP ACADEMY CONFERENCE

A 2.5-day conference held twice a year that focuses exclusively on the role of the board and an effective governance team.

Attendees will learn:

- Working as a team: The roles of the board and staff in your district.
- Attributes and characteristics of highly effective boards.
- How culture, norms, values, and operating styles influence the district.
- Specific jobs that the board must perform.
- How individual values, skills, and knowledge help to shape how effective boards operate.
- The importance of moving from “I” to “we” as the governance team.
- The board’s role in setting direction for the district.
- The board’s role in finance and fiscal accountability.
- And much more!

Additional Resources:

- ILG Good Governance Checklist (download)
- Take Action: Engaging with Your Community and Legislators (download)
- SDLF District Transparency Certificate of Excellence Checklist (download)
- SDLF High Performing District Checklist (download)
- Special District Reserve Guidelines, Second Edition (download)
- Special District Revenues Guide (download)
- CDIAAC Local Agency Investment Guidelines (download)

Optional Resources:

- Boards that Make a Difference (3rd Ed.) John Carver © 2015
- Reinventing Your Board (Revised Ed.) John Carver and Miriam Carver © 2006
- The Policy Governance Model and the Role of the Board Member (Revised Ed.) John Carver and Miriam Carver © 2009
- Recognition: Earn your SDLF Certificate in Special District Governance by completing the Special District Leadership Academy Conference (first-time track) plus ten additional hours of continuing education from CSDA (or any other state-wide association specializing in local government) within two years.

ONGOING

CSDA ANNUAL CONFERENCE & EXHIBITOR SHOWCASE (ONCE PER YEAR, LATE SUMMER/EARLY FALL)

Enables attendees to stay current on the latest in legal, HR, governance, leadership and other issues impacting all special districts.

San Lorenzo Valley Water District Board Development Guidelines

Purpose

To attract a diverse pool of individuals to serve on the Board of Directors and provide them with appropriate resources to maximize their contributions for the benefit of the District and larger water community.

Expectations to Directors

Anticipated level of commitment, engagement, effort, and energy

Required

- Attend Board meetings (twice monthly) and Special Board meetings as scheduled
- Attend Board Committee meetings (typically monthly) as assigned
- Attend other agency/committee meetings (such as Santa Margarita Groundwater Agency) as assigned
- Participate in water related education and training opportunities

Desired

- Get involved in CSDA committees
- Attend community events on behalf of the District

Minimum anticipated annual time commitment: 24 Board meetings-evenings (2 - 3 hours each, not counting preparation), 6-9 Special meetings-daytime or evenings (1-2 hour each), 1 or 2 Committee meeting-daytime or evenings (1 - 2 hours), other events and training (1-4 hours each)

Attributes and Qualities of Directors

- Deliberate
- Insightful
- Flexible/Adaptive
- Empathetic
- Analytical
- Dedicated
- Respectful
- Community minded
- Concensus builder

Considerations

- In alignment with District
- Driven by the expectations to the Directors
 - Sense of responsibility/accountability
 - Prioritization of time
- Support succession planning and reduce barriers to entry
- Display fairmindedness and impartiality to fellow Board members, staff, and community

San Lorenzo Valley Water District Committee Development Guidelines

Purpose

To attract a diverse pool of individuals to serve on the Committees and provide them with appropriate resources to maximize their contributions for the benefit of the District and larger water community.

Expectations

Anticipated level of commitment, engagement, effort, and energy

Required

- Attend Committee meetings as scheduled

Desired

- Attend Board meetings to keep informed on District business
- Participate in water related education and training opportunities

Minimum anticipated annual time commitment: 12 Committee meetings-daytime (1 to 1.5 hours each, not counting preparation).

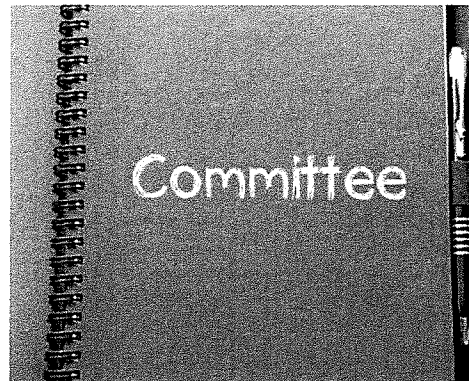
Attributes and Qualities of Committee members

- Deliberate
- Insightful
- Flexible/Adaptive
- Empathetic
- Analytical
- Dedicated
- Respectful
- Community minded
- Concensus builder

Considerations

- In alignment with District
- Driven by the expectations to the Directors
 - Sense of responsibility/accountability
 - Prioritization of time
- Support succession planning and reduce barriers to entry
- Display fairmindedness and impartiality to fellow Committee members, Board members, staff, and community

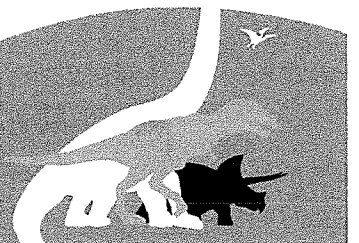
Committees in Robert's Rules



Many of us have experience in serving on committees, but receive little training in how to make that service effective. This article provides useful information that can help you enjoy your service more and avoid common pitfalls. It gives an overview of committees, their type, structure, and functioning; information on agenda and minutes; a set of sample discussion guidelines, and an effective method for processing complex proposals. You may adapt the guidelines to suit the needs of your organization. This information is based on *Robert's Rules of Order Newly Revised, 12th edition*, and Jurassic Parliament's experience over 20 years of working with committees.

TABLE OF CONTENTS

1. Introduction	3
2. Fundamentals	4
3. Rules	7
4. Role of Leader	8
5. Agendas and Minutes	9
6. Discussion and Functioning	12
7. Checklists	15
8. Additional Points	16
9. Conclusion	17
Appendix: A. Sample Committee Discussion Guidelines	18
B. Exploratory Round Robin Method	19



Committees in Robert's Rules

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Committees in Robert's Rules

1. Introduction

A committee is a group of volunteers who have agreed to do a job defined by someone else.

The key fact about a committee is that it is not its own master. When a board of directors, a city council or a faculty senate creates a committee, it has the right and the duty of deciding what the committee is called, who will chair it, who will serve on it, what job it is to do, and when its job will be over. If the authority that creates the committee chooses, it may change the mandate, remove the chair, add members or take them away, ignore the committee's recommendation, or even dissolve the committee before its work is complete.

Clear understanding of these facts would remove much of the heartbreak that sometimes accompanies committee work. Characteristically, when volunteers undertake a committee job, they bring dedication, energy and their own views. This is desirable and praiseworthy. Such commitment and energy drive much civic improvement.

However, in the course of tackling whatever job they have been given, members of committees can get carried away. Committee members sometimes invest so much time and energy that they come to see themselves as the owners of the task. They may:

- expand their scope beyond what was assigned;
- move from policy into operational details that are not their responsibility;
- make commitments beyond the authority they were given;
- disregard timelines and other parameters of their assignment;
- try to change the chair appointed by the governing body;
- fail to consult other interested persons or staff;
- decline to collaborate with other committees whose duties intersect with their own; or
- react with outrage when their recommendation is not approved by the overseeing body.

This grim picture is not the whole story, of course. Voluntary committees are a huge part of the fabric of our country today. They make an inestimable contribution to the functioning of our world, both in the civic and in the not-for-profit realm. We literally could not run our society without them. We believe, however, that both committee members themselves, and the appointing bodies, need to be very clear on the facts of their functioning, and to commit themselves to timely and clear communication, if the work is to be done well. Neglecting to attend to these aspects can lead to friction, bad feeling, and wasted time and energy on all sides.



2. Fundamentals

Governing authority

The first question to ask about any committee is: what authority governs the committee?

- When the board of directors of a nonprofit organization creates a committee, the board is responsible for the committee's functioning and decisions. Should the committee take an illegal action, the board members could be sued, even if they knew nothing about it.
- When a city council appoints a parks committee, the council is responsible for the board's functioning. Note that the nature of the committee, not its name, is the indicator. For example, some cities have a "parks board." If that board's actions must be referred to the council for ratification and implementation, the "parks board" is, in actual fact, a "parks committee."

The body that creates the committee is ordinarily the body which is responsible for it, and to which it reports. The body or person who appoints members of a committee has the right to remove them.

Powers of committee

The second question is: what powers does the committee have? The charter or assignment of authority to the committee is critical to understanding what tasks the committee is to take on, and how it should undertake them. If you are a member of a committee and have not been given a description of what your job is, make it your first piece of business to get that description. It is essential.

Some organizations include the charter (also called a "charge") with every agenda packet, in order to help keep members keep focused. This can prevent "scope creep" and related problems.

John Hasling in *Committees in Action* describes the following purposes for which a committee may be established:

- To exchange information
- To set goals
- To establish policy or criteria
- To make decisions and plan a course of action
- To evaluate
- To hear complaints and negotiate resolutions
- To make recommendations



H.W. Farwell in *Point of Opinion* gives a shorter list:

- to investigate
- to investigate and recommend
- to investigate, recommend and take action

A committee that has been created to make recommendations is very different from a committee that has been given power to make decisions.

Unusual suggestion

We have heard an unusual suggestion in this realm: it has been argued that committees should never be asked to make a recommendation. The speaker suggested that either (1) committees should be given the power to make a decision, or (2) they should be requested to research options and present them to the governing body for a decision. The rationale was that too often, when a committee makes a recommendation and it is not accepted, the committee members become discouraged and disheartened, and may decline further service.

While this approach is not feasible in every setting, non-governmental bodies such as nonprofit boards might well adopt it. If such a board set the budgetary and policy boundaries, and then gave the committee members freedom to act as they determine best within those guidelines, a better outcome might result—not to mention happier committee members.

This would require, of course, that the nonprofit board take the time and effort to consider carefully what needs to be done, and what are the parameters within which action should be taken. We have seen instances where a board of directors, having received a recommendation, moves from policy into operational questions and becomes involved in details which would have been better left to the committee. The tendency to disregard stated limits to authority can appear at both ends of the spectrum, but a board can get away with it, whereas committee members can only grind their teeth helplessly as they see the board meddling with their hard work or “ruining” their thoughtful proposal.

Type of committee

Some commentators nowadays say that the word “committee” is outmoded, and that organizations do better to appoint “work teams” or “task forces” rather than formal committees. Names are important, and will affect how people understand the job they have been given. Whatever they are called, however, all committees, task forces, work groups or teams in the voluntary world can be divided into two types:

- *Permanent committees*, which exist to do an ongoing job and persist from year to year, whatever their membership at a given time. These are often called “standing committees.”
- *Temporary committees*, which are created for a particular task, and cease to exist once the task is accomplished. These may be called “special,” “ad hoc,” or “select” committees.



Structure and members

A committee should be as large as it needs to be—no larger and no smaller. If your assignment is focused on getting a particular job done, a smaller committee will be better. If your assignment includes obtaining representation and views from many different sectors or stakeholders, a larger committee may be necessary. We have found that a working group of three to six people is effective for many jobs, while a dozen people can work together well if each has a different function to carry out. Beyond a dozen, compartmentalization or establishing subcommittees may be necessary. Subcommittees report to the committee of which they are a part.

If your committee has “ex officio” members, that means members who serve on the committee because of their position, not because of who they personally are. Ex officio members are full voting members of committees, unless the bylaws or rules say otherwise. If the president is ex officio a member of all committees, he or she is not counted towards the quorum.

Quorum

A quorum is the minimum number of voting members who must be present for business to be done. Usually a quorum is a majority (more than half) of the voting members of the committee. If a quorum is not present, a committee may discuss matters, but it may not make decisions or take action. The clerk or secretary should maintain an up-to-date list of committee members that indicates who is a voting or non-voting member, and have it available at every meeting.

Committees may have members who are not members of the organization if the governing rules permit this. In some circumstances, non-members bring useful expertise and a neutral point of view.



3. Rules

The next question to ask is: what rules govern the committee? In general, committees are governed by the rules of their appointing body. So it's very important to read the bylaws. This document, often maligned as dull or boring, is in fact the basis on which everything happens within your organization. Read the bylaws and you may even find out important facts that are not known to the members of your governing body! If you are serving on a citizen board or committee, read the policies and procedures of your appointing council or commission. Many enlightened cities now provide citizen handbooks which, intimidating as they may seem, are invaluable guides to your task.

If your board has adopted *Robert's Rules of Order* in its bylaws, your committee must follow the rules given in that book. The current edition is *Robert's Rules of Order Newly Revised, 12th edition*. (This book is referred to informally as "Robert.") Be warned that many versions of Robert's Rules are available for sale but are based on old, out-of-copyright editions. Only the latest edition should be used.

A board or council may give a committee power to create its own rules, but we do not advise this. We believe that consistency throughout an organization makes for better functioning and improves process. Many people don't realize that Robert allows for more casual functioning in smaller boards and committees (see below).

Some bodies adopt other books than Robert, such as *The Standard Code of Parliamentary Procedure*. We believe that is very useful for bodies to adopt a "parliamentary authority." We recommend Robert's Rules first and foremost as the most widely used guide in this country, but the other authorities can also be useful.

If your board or city council has not adopted any rules, or any particular source of guidance on procedure, you still cannot do things any which way you like. There is such a thing as "common parliamentary law," which expresses the usage of our society over centuries. Courts have found that common parliamentary law applies to local governments, nonprofit organizations and associations. So procedure is not a matter which can simply be made up, or ignored.



4. Role of leader

The leader of a committee has to facilitate the meetings, be sure that everyone is heard, and move the committee forward. At the same time, he or she may carry out important administrative functions, such as taking the minutes of the meeting, assigning tasks, and holding members accountable for their performance.

This is different from the role of the chair of a board of directors. The leader at a board meeting is not responsible for the decision that the board makes—the group is responsible. The situation is different for committees. A committee chair, in accepting the job, also accepts the responsibility of endeavoring to guide the committee toward a successful outcome. It remains the case, however, that he is not the “boss” of the committee in the way that a CEO is the boss of their company. The chair needs to combine persuasion and tact with the willingness to hold others accountable. It is not a job for the faint-hearted.

Because this role is so important, we advise against assigning co-chairs to committees. If two people are willing to share leadership roles, in our experience it works better to appoint one person as chair, and one as vice-chair. This keeps the lines of authority clear and prevents muddle and abdication of authority, which can occur, even unintentionally, when two people share one job. Robert says, “The anomalous title ‘co-chairman’ should be avoided, as it causes impossible dilemmas in attempts to share the functions of a single position” (*Robert’s Rules of Order*, Section 13:17).

It is essential for a chair to be definite about procedure while running the committee meeting. A chair should announce the beginning and end of the meeting clearly, take up each item of business in turn, move on to the next item promptly, and enforce whatever rules the committee has adopted for its functioning. For instance, if the committee has agreed that each person will have the opportunity to speak once before anyone speaks a second time, the chair must interrupt someone who starts to speak up out of turn.

It is not always easy for chairs to carry out the role of enforcer of the rules, but if you find it a challenge temperamentally, please remember that the job carries this responsibility. The work will go much better if the chair is willing to be assertive in service of the group.

It is equally important that the chair create an atmosphere in which every member feels free to speak up and state their true opinion. The tendency to “self-censor” is strong in all of us. Only careful listening and a strong commitment from the chair to true openness will allow people to feel comfortable when they have uncomfortable thoughts. Yet without those thoughts, and diversity of opinion, a group is easily subject to the herd mentality and “group think.” In our view, the single best indicator of the health of a group is how free the members feel to express a differing opinion, and still be welcome.



5. Agendas and Minutes

Agendas

Preparing the agenda is a vital part of any successful committee meeting. While the chair, with the assistance of the clerk or secretary, usually prepares a draft agenda, it is only a draft until the members adopt it at the beginning of the meeting. If the chair has declined to include an item which a member wishes included, at the beginning of the meeting the member may say, "I move that the agenda be amended by ... [state the change]." This proposal can be debated, and takes a majority vote to approve. Once an agenda has been adopted, it takes a two-thirds vote to change it later during the meeting.

We recommend planning an agenda with care. It is not always wise to follow the traditional "order of business," which puts unfinished business ahead of new business. Such an order means that by the time members come to anything new, they may be exhausted and have no energy for the task. Any organization can adopt a "special rule of order" that allows it to create an agenda with more flexibility, and we recommend doing this. Put the tough issues that will take more energy and thought early on, and save routine matters such as reports for later (unless they must be covered before some action can be taken).

Simplified order of business

This is the order of business presented in Robert's Rules:

1. Approval of minutes
2. Officer reports
3. Committee reports
4. Unfinished business
5. New business

Here is a suggested alternative order, that dedicates time to a "strategic item" early on in the agenda. Members are then able to give their best thinking to the important issues while they are still feeling fresh and energetic.

1. Approval of minutes
2. Chair's remarks
3. Strategic item
4. Unfinished business
5. Any other new business
6. Treasurer and committee reports



Agendas should provide an expected time for each item, and include the notation “all times are approximate” or “estimated time” in order to prevent the schedule from being too restrictive. During the meeting, the chair should track time very carefully. A “count-up timer” is helpful in this regard. By speaking up a few minutes before a given time period has elapsed, a chair can encourage members to wrap up a subject, make a decision, or postpone the item to the next meeting. We have found that having meetings end on time is one of the most positive things a chair can do for committee success.

A useful way to structure an agenda is to use active verbs rather than nouns. For example, rather than listing “laboratory guidelines” as an agenda item, use the words “Determine top 6 laboratory guidelines.” Action words keep people focused on action results.

It is fine to include the text of draft motions or proposals in an agenda. This helps the committee make decisions, as long as it is clear to everyone that they are only drafts, and can be freely modified.

Agendas and supporting materials must be distributed in advance if the committee is to be effective. How much in advance will depend on your group, but it is not a good use of time to have members reading the materials and thinking about the subject matter on their way to or at the beginning of the meeting. Members who accept committee service have an obligation to give time to the work, in addition to attending the meetings.

Relationship building

In order to facilitate sharing of information among the committee members, which leads to trust, which leads to better functioning and decision-making, we recommend that every agenda include these two items:

- **Check-in**, a few minutes at the beginning when the leader goes around the table and invites each person to share a small tidbit of personal or professional information that may be of interest to colleagues. This is not “what I did last summer”—it should be short and light, and members may pass if they wish. Building this into every meeting will improve functioning. It takes less time than it seems. It is like tuning up the instruments before making the music.
- **Announcements and remarks for the good of the order**, a few minutes at the end of the meeting when members may comment on any topic they wish, or inform others of opportunities, or commend those who worked hard to prepare a successful meeting. This serves as a kind of “safety valve” and allows an opportunity for folks to speak freely. Again, while it may seem to be a time-waster, in fact it makes meetings more effective.

Consent agenda

One useful tool for making meetings more efficient is a “consent agenda” or “consent calendar.” This is a group of items, expected to be non-controversial, that are voted on as a batch. There is no discussion on the items included in a consent agenda, and only one vote is taken.



If a member wishes to discuss something on the consent agenda, they make the request during “approval of agenda” to remove that item from the consent agenda, and it is done. The item can then be discussed and voted on at its proper place during the agenda items.

Meeting minutes and other records

As mentioned above, the chair of a committee sometimes keeps the record of the committee’s meeting, called the “minutes.” This is another important difference between a committee and a board. At a board meeting, both a presider and a secretary must be present, and they may not be the same person.

If the committee is an informal one, it may not be necessary to have the minutes formally approved by the body. On the other hand, in the civic realm, there may be a specially assigned clerk who takes minutes, and their approval is an essential part of the public record. Be sure to find out which type your committee is, and what type of record is needed. Given modern expectations for both transparency and accuracy, committees should not be too casual.

As for content, the basic guideline given in Robert is that “minutes record what is done, and not what is said.” We are strongly in favor of “action minutes” which record decisions made. “Summary minutes” are also acceptable – these include brief statements of key points of arguments made, without attribution to individuals.

We recommend against keeping “detailed minutes” that record who said what to whom. If your minutes include statements like “Ivan said that he felt it would be harmful to the organization to do this” or “Fatima argued in favor on the grounds that Juan is a nice person,” such statements should be removed. There is no place for “he said” and “she said” in meeting minutes.

We recommend keeping a running “action items list” which includes all assignments or tasks and the following information:

- person to whom assigned
- date of assignment
- target date for completion
- current status

This can be updated before the next meeting, and will be a helpful tool to keep things moving forward.

We also recommend keeping a “record of past actions.” This list helps keep a committee focused, reminds everyone of commitments that have already been made, and serves as a useful reference. If your committee operates more formally and uses motions, this would be called a “motions list.”



6. Discussion and functioning

Many committees conduct their meetings using “open discussion,” in which people speak up as they feel like it, interrupt one another, and argue back and forth. While this is reasonable in a committee of two or three people, as soon as a committee gets larger, this type of discussion raises many problems. We recommend that committees adopt our “sample guidelines” (see appendix) which allow for open discussion when appropriate, but provide a more structured way to approach most topics in the meeting.

There are some basic rules from Robert and common parliamentary law that apply to every committee.

- **All members have an equal right to make motions, speak in discussion, and vote.**
- **Non-members do not have the right to make motions, speak in discussion, or vote.**
- **One subject is discussed at a time.**
- **One person speaks at a time.**
- **No interrupting (with a few exceptions).**
- **Courtesy and respect are required at all times.**
- **No one may speak a second time until everyone who wishes to do so has spoken once.** This is a vital principle of fairness. A group that adopts this rule will find that its meetings are far more effective. One excellent way to achieve this is to use the “round robin” method of discussion.
- **Members may not speak about the motives of other members.** This is another essential rule which will eliminate a lot of friction and emotional upset. (This is different from conflict of interest rules – every organization should have a policy to deal with conflict of interest, which usually means financial benefit.)

As mentioned above, Robert provides special guidance for small boards and committees. Here are our views on those special rules for small boards and committees:

- **Chair may take part in debate.** We concur with the provision that the chair of a committee may take part in discussion and debate. This seems very reasonable, since the chair often has the greatest commitment to the task of the committee, is the most knowledgeable, and has the best lines of communication with the leadership. We recommend, however, that the chair speak last, after other members have spoken, in order to remain as neutral as possible, and sum up what others have said. This is a Jurassic Parliament suggestion that is not included in Robert’s Rules.



- **Chair may vote.** We favor having the chair vote in a small committee. Again, however, we recommend that the chair vote last, after the other members. An alternative is to give the chair the power to vote only when their vote will affect the outcome (break a tie, or create a tie).
- **Can the chair make motions?** Although Robert's "small board rules" allow this, we recommend that the chair NOT make motions. We believe that given our natural human tendency to defer to the leader of any group, a chair who makes motions can become too dominating. We suggest that if need be, the chair ask, "Would anyone care to move that...", and refrain from personally making motions.
- **Is a second needed?** Although Robert's "small board rules" say that a second is not needed, we recommend that a motion be seconded before it can be discussed. It is always helpful to ensure that two people want to discuss a motion before it is taken up by a group. Requiring a second ensures this is the case.
- **Discussion without a motion is permitted.** We think this is fine. Committees will often want to discuss a matter before they are ready to formulate a specific proposal. However, we recommend that the chair ask for a motion just as soon as the group is ready for it. Having the language of a specific motion to discuss and vote on helps clarify the issue, focus people's minds, and keep everyone on track.
- **Members must seek recognition from the chair before speaking.** Asking everyone to raise a hand when they wish to speak, and gain permission from the chair, allows for order and fairness.
- **May members may speak directly to each other?** Permission to speak directly is implied in Robert's section on small boards and committees. We recommend that this be used with great caution. All too often, when members speak directly to one another, the conversation gets hijacked by the two individuals involved, while everyone is else left behind. It makes it too easy to violate the fundamental rules outlined above. The alternative is that speakers address all remarks to the chair, not each other. When this practice is followed, discussion is depersonalized and emotions are kept under better control.

Voting

While it is customary and usual to work towards consensus in a committee, we recommend that bodies be prepared to vote if opinions clearly differ. An unwillingness to take votes will hamper a committee and cause it to spend more time on its task than it needs to. A chair and members who can accept the idea that not everyone thinks alike will make much better decisions than a committee that is committed to keeping a surface appearance of unity, no matter how long it takes to hash things out. Voting is a useful, democratic and highly functional way of making decisions.



When voting, a majority is necessary for a proposal to be adopted. A majority means “more than 50% of the votes cast.” People may abstain—not vote—if they wish, and abstentions are usually not counted. The chair must always call for the negative vote, not just ask for those in favor.

Language to use in taking a vote:

Voice vote

All those in favor, say aye. Thank you.

All those opposed, say no. Thank you.

The ayes have it and the motion passes OR The noes have it and the motion fails.

Show of hands

All those in favor raise your right hand and keep it up [pause]. Thank you, hands down.

All those opposed raise your right hand and keep it up [pause]. Thank you, hands down.

The ayes have it and the motion passes OR The noes have it and the motion fails.



7. Checklists

Problem-solving

We offer the following framework for problem-solving as a guide to a committee starting out on its task (from *Committees in Action*).

1. Define the problem
2. Limit the topic
3. Analyze the data
4. Establish criteria for solutions
5. Suggest possible solutions
6. Select the best solution by checking each one against the criteria
7. Carry out the solution
8. Evaluate the effect of the solution

Conflict resolution

The following checklist can be helpful in cases of conflict (from *Facilitation at a Glance, 2nd edition* by Ingrid Bens). Ask whether any of these problems exist in your committee:

- No plan or process for approaching the task
- Lack of active listening
- Lack of closure
- Personal attacks
- No process checking
- Dominant members
- Poor time management
- Lack of skill
- Passive or nonexistent facilitation



8. Additional Points

Robert's Rules of Order Newly Revised, 12th edition makes the following additional points about committees. For full details, read Paragraph 37:35 on Reconsideration in Committees, Section 50 on Committees, and Section 51 on Reports of Boards and Committees.

Discussion

Limits on discussion, such as motions to extend or limit debate, or to “call the question” (close debate and vote immediately, formally named “Move the Previous Question”), are not allowed in committees.

Reconsideration

In ordinary meetings of a board or assembly, a member must have voted with the prevailing side in order to move reconsideration. In committees, any member who did not vote with the losing side may move to reconsider. This includes someone who voted with the prevailing side, who did not vote at all, or who was absent when the vote was taken. There is no time limit on reconsideration in committees.

Reports

Ordinarily the chair of the committee presents the report to the board and, if it includes recommendations for action, moves the recommendations after giving the report. No second is required, since the motion is made on behalf of the committee which (presumably) included other members.

If the board agrees to receive a minority report, members of the committee who disagree with the majority may present such a report after the committee report.

A board should not move to adopt, accept, or agree to a report, since to do so means that the board accepts every word of the report in its entirety and makes the report its own. It is also incorrect to vote to receive a report. The minutes simply note that the report was received for filing.



9. Conclusion

A final reminder: whether permanent or temporary, a committee exists at the will and pleasure of its appointing body, and must conform to the rules, directives and guidance of that body.

Committees are the workhorses of the civic and volunteer worlds, often unrecognized and unsung, that make an enormous difference to our society. It is our hope that the occasional frustrations of committee service will be far outweighed by the knowledge that in serving on a voluntary committee, you are making a unique contribution to improve human conditions and advance the common good.



APPENDIX

A. Sample Committee Discussion Guidelines

1. The chair runs our meetings, ensures a fair process, maintains clarity, and helps our group observe its guidelines. The chair is not in charge of decision-making; rather our group as a whole is responsible for making our decisions.
2. Committee meetings will be conducted so that everyone can hear and be heard.
3. Members have a right to information to help make decisions. Members may solicit information in advance of the meeting by sending requests through the secretary, or postpone a decision to the next meeting by majority vote, pending the collection of specific information
4. Each member of the committee will have an equal chance to contribute to discussions.
5. The committee will have two modes of discussion:
 - a) Formal discussion, which will proceed according to the “round robin” method. Members will address all remarks to the chair. No one may speak a second time until everyone who wishes to do so has spoken once. Members will not engage in cross-talk (speaking to each other across the table) during this type of discussion. During formal discussion the chair may allow for answers to factual questions to be provided, at their discretion. The chair will reserve comments and observations until it is their turn to speak.
 - b) Open discussion, in which members speak more informally, in a conversational style.
6. Courtesy and respect for fellow committee members, staff and citizens are always required.
7. With the exception of conflict of interest issues, discussion of other members’ motives is never allowed.
8. We do not allow sidebar conversations or whispering. In addition, use of electronic devices must not disrupt the meeting nor distract the participants. Members who have urgent electronic business to transact will leave the room.
9. Discussion must be relevant to the topic at hand.
10. If appropriate, a subcommittee will be formed to review an issue which will report back to the committee at the next meeting or as agreed by the group.
11. The quorum for a meeting of the committee is a majority (more than half) of the members of the committee. Proxy votes will not be used.



12. A majority of the members of the committee must vote in favor for a motion to pass.
13. Additional issues not covered in these guidelines will be resolved according to *Robert's Rules of Order, Newly Revised*, latest edition, insofar as that authority is not in conflict with the legislation, statutes, regulations, and policies which govern the work of the committee, which take precedence.

B. Exploratory Round Robin Method

1. Proposals will be submitted in writing to the secretary in advance of the meeting.
2. Members will review the proposals before the meeting and note their comments and concerns.
3. During the meeting, the members will share their comments on the proposal under consideration, using the round robin method. This is an information-gathering step. While members may make suggestions as to which changes should be required or how the proposal might be improved, no amendments will be voted on or actions taken during this round of discussion.
4. Staff will note comments on the whiteboard so that everyone may see them.
5. The chair will provide his/her comments last.
6. After the first round of comments, the group will either hold another round robin or engage in open discussion, as the group chooses.
7. The chair will summarize comments and observations.
8. A member will propose a course of action, which may be:
 - a) —To approve the proposal
 - b) —To amend the proposal
 - c) —To refer the proposal back to the staff for further study, to report back at a given date
 - d) —To postpone a decision on the proposal to the next meeting
9. The chair will call for the vote for and against. The secretary will record the vote count and the number of abstentions, if any.
10. Members who have a conflict of interest may not participate in discussion and will leave the meeting room while the vote is taken. Absence for reasons of conflict of interest will be noted in the minutes by name.
11. If members wish to disapprove a motion or withhold approval, they will vote “no” when the vote on the proposal is taken.



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MEMO

TO: ADMINISTRATION COMMITTEE
FROM: DISTRICT MANAGER
SUBJECT: PUBLIC MEETING LOCATIONS
DATE: OCTOBER 12, 2022

RECOMMENDATION:

It is recommended that the Administration Committee review this memo and discuss possible hybrid public meeting locations.

BACKGROUND:

Recent statewide legislation Assembly Bill (AB) 361 amended the Brown Act and thereby changed how local agencies such as the District may continue to conduct remote meetings during a declared state of emergency such as COVID-19, through January 1, 2024 (attachment 1).

The District has been investigating hybrid meetings to conduct Board and Committee meetings in person and remotely (i.e., by Zoom, GoTo Meeting).

To hold hybrid meetings a location, video equipment, and high-speed internet are necessary. In the past, the District used our Operations Building and rented larger facilities when needed. This works fine for just in-person meetings. For hybrid meetings, stationary video equipment and large monitors need to be installed permanently at the intended facility

Staff reached out to several possible facility options in the Valley (attachment 2). None of the facilities liked the idea of permanently mounting and leaving equipment at their facilities or the number of monthly meetings.

The District owns the Johnson Building located in Boulder Creek. There is space available that could be easily be converted into a meeting room. Video equipment is estimated at \$5000 to \$7000 depending on needs and it is estimated another \$8000 for lighting, paint, etc. bringing the cost to an estimated total of \$15,000. By having a District-owned facility staff can use

the space for online training and will be available at any time with no need for staff to set up and take down equipment.



NOSSAMAN LLP

Memorandum

TO: Board of Directors,
San Lorenzo Valley Water District

FROM: Gina R. Nicholls, District Counsel

DATE: October 7, 2021

RE: New Brown Act Requirements for Remote Meetings Under AB 361
502665-0001

SUMMARY:

Recent statewide legislation Assembly Bill (AB) 361 amended the Brown Act and thereby changed the manner in which local agencies such as the District may continue to conduct remote meetings during a declared state of emergency such as COVID-19, through January 1, 2024. Governor's Executive Order N-15-21 eliminates conflicts with prior Executive Orders and provides clarity that AB 361 will govern the ability to conduct remote meetings after October 1, 2021.

RECOMMENDATION:

By motion of the Board of Directors, adopt the attached resolution allowing the District to continue conducting remote meetings pursuant to AB 361.

BACKGROUND:

In order for the District to continue conducting remote meetings (i.e., by Zoom, GoTo Meeting, or other video/teleconference platform) of the Board and Committees in compliance with the Brown Act, the Board must make appropriate findings consistent with AB 361. The specific findings required by AB 361 are as follows:

- a) A proclaimed state of emergency is in effect;
- b) State or local officials have imposed or recommended measures to promote social distancing; and
- c) As a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

The attached resolution contains the necessary findings. If adopted, the resolution would apply to all Board and Committee meetings of the District for 30 days. The Board would need to reconsider and re-adopt the resolution every 30 days for it to continue in effect.

In the absence of such a resolution, after October 1, 2021 all District meetings subject to the Brown Act would need to comply with standard teleconference requirements as they existed “pre-pandemic”. “Pre-pandemic” requirements for remote meetings include: (1) a quorum of the Board or Committee must be physically present at designated meeting location(s) within the agency’s jurisdiction; and (2) in order for any Board or Committee member to participate in the meeting from a remote location:

- a) each remote location shall be identified in the posted meeting agenda;
- b) a copy of the meeting agenda must be posted for the requisite time period (usually 72 hours in advance) at each remote location; and
- c) each remote location shall be accessible to the public.

ATTACHMENTS:

Attachment A – Proposed Resolution
Attachment B – AB 361

**SAN LORENZO VALLEY WATER DISTRICT
RESOLUTION NO. __ (21-22)**

SUBJECT: A RESOLUTION OF THE SAN LORENZO VALLEY WATER DISTRICT
PROCLAIMING AN ONGOING STATE OF LOCAL EMERGENCY AND
AUTHORIZING REMOTE MEETINGS DURING THE COVID-19 PANDEMIC

WHEREAS, the San Lorenzo Valley Water District (“District”) is committed to preserving public access and participation in meetings of the Board of Directors (“Board”), including meetings held during a proclaimed state of emergency; and

WHEREAS, all meetings of the District’s legislative bodies including the Board and the District’s standing committees are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend and participate; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District’s boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in the District, specifically, on March 4, 2020, the Governor declared a statewide emergency based on the COVID-19 pandemic, and the Governor’s declaration of a state of emergency continues in effect; and

WHEREAS, state and local officials such as the California Department of Public Health, Cal/OSHA and Santa Cruz County Public Health continue to recommend social distancing measures; in particular, County Public Health recommends the use of face coverings indoors and moving activities and meetings outdoors to the greatest extent possible; and

WHEREAS, the Board of Directors does hereby find that the COVID-19 pandemic continues to imperil the health and safety of individuals, especially where individuals from multiple households gather indoors under circumstances and risks of exposure to COVID-19 cannot adequately be controlled through adherence to Cal/OSHA regulations and public health guidance, and accordingly the District desires to continue its proclamation of a local emergency and ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency, the Board of Directors does hereby find that the legislative bodies of the District shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Lorenzo Valley Water District, as follows:

1. The Board hereby proclaims that a local emergency continues to exist throughout the District, and Board and Committee meetings are likely to involve gathering individuals from multiple households indoors under circumstances where risks of exposure to COVID-19 cannot adequately be controlled through adherence to Cal/OSHA regulations and public health guidance; and

2. The Board hereby ratifies the Governor's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

3. The District Manager, District staff, and all legislative bodies of the District (including the Board and all standing Committees) are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public remote meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

4. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) 30 days from adoption of this Resolution, or such time the Board of Directors ratifies or re-adopts this Resolution (or a subsequent resolution) in accordance with Government Code section 54953(e)(3) to extend the time during which the

legislative bodies of the District may continue to conduct remote meetings without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of the San Lorenzo Valley Water District, County of Santa Cruz, State of California, on the 7th day of October 2021, by the following vote of the members thereof:

AYES:

NOES:

ABSENT:

ABSTAIN:

Holly B. Hossack,
District Secretary

Assembly Bill No. 361

CHAPTER 165

An act to add and repeal Section 89305.6 of the Education Code, and to amend, repeal, and add Section 54953 of, and to add and repeal Section 11133 of, the Government Code, relating to open meetings, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 16, 2021. Filed with
Secretary of State September 16, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 361, Robert Rivas. Open meetings: state and local agencies: teleconferences.

(1) Existing law, the Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to directly address the legislative body on any item of interest to the public. The act generally requires all regular and special meetings of the legislative body be held within the boundaries of the territory over which the local agency exercises jurisdiction, subject to certain exceptions. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. The act authorizes the district attorney or any interested person, subject to certain provisions, to commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that specified actions taken by a legislative body are null and void.

Existing law, the California Emergency Services Act, authorizes the Governor, or the Director of Emergency Services when the governor is inaccessible, to proclaim a state of emergency under specified circumstances.

Executive Order No. N-29-20 suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic provided that notice and accessibility requirements are met, the public members are allowed to observe and address the legislative body at the meeting, and that a legislative body of a local agency has a procedure for receiving and swiftly

resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 1, 2024, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined, when state or local health officials have imposed or recommended measures to promote social distancing, during a proclaimed state of emergency held for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees, as provided.

This bill would require legislative bodies that hold teleconferenced meetings under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option, and to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body. The bill would require the legislative body to take no further action on agenda items when there is a disruption which prevents the public agency from broadcasting the meeting, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments, until public access is restored. The bill would specify that actions taken during the disruption are subject to challenge proceedings, as specified.

This bill would prohibit the legislative body from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. The bill would prohibit the legislative body from closing the public comment period and the opportunity to register to provide public comment, until the public comment period has elapsed or until a reasonable amount of time has elapsed, as specified. When there is a continuing state of emergency, or when state or local officials have imposed or recommended measures to promote social distancing, the bill would require a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting pursuant to these provisions, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures.

Existing law prohibits a legislative body from requiring, as a condition to attend a meeting, a person to register the person's name, or to provide other information, or to fulfill any condition precedent to the person's attendance.

This bill would exclude from that prohibition, a registration requirement imposed by a third-party internet website or other online platform not under the control of the legislative body.

(2) Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. The act requires at least one member of the state body to be physically present at the location specified in the notice of the meeting.

The Governor's Executive Order No. N-29-20 suspends the requirements of the Bagley-Keene Open Meeting Act for teleconferencing during the COVID-19 pandemic, provided that notice and accessibility requirements are met, the public members are allowed to observe and address the state body at the meeting, and that a state body has a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a state body to hold public meetings through teleconferencing and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body. With respect to a state body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the state body at each teleconference location. Under the bill, a state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the state body allow members of the public to attend the meeting and offer public comment. The bill would require that each state body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge state bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(3) Existing law establishes the various campuses of the California State University under the administration of the Trustees of the California State University, and authorizes the establishment of student body organizations in connection with the operations of California State University campuses.

The Gloria Romero Open Meetings Act of 2000 generally requires a legislative body, as defined, of a student body organization to conduct its business in a meeting that is open and public. The act authorizes the legislative body to use teleconferencing, as defined, for the benefit of the public and the legislative body in connection with any meeting or proceeding authorized by law.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a legislative body, as defined for purposes of the act, to hold public meetings through teleconferencing and

to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body. With respect to a legislative body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the legislative body at each teleconference location. Under the bill, a legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. The bill would require that each legislative body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge legislative bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(4) This bill would declare the Legislature's intent, consistent with the Governor's Executive Order No. N-29-20, to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future emergencies by allowing broader access through teleconferencing options.

(5) This bill would incorporate additional changes to Section 54953 of the Government Code proposed by AB 339 to be operative only if this bill and AB 339 are enacted and this bill is enacted last.

(6) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

(7) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

(8) This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 89305.6 is added to the Education Code, to read:
89305.6. (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a legislative body may hold public meetings through teleconferencing

and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body.

(b) (1) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the legislative body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the legislative body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

(E) At least one member of the legislative body be physically present at the location specified in the notice of the meeting.

(c) A legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. A legislative body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a legislative body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the legislative body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each legislative body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a legislative body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the legislative body's internet website.

(f) All legislative bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to legislative body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 2. Section 11133 is added to the Government Code, to read:

11133. (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a state body may hold public meetings through teleconferencing and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body.

(b) (1) For a state body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the state body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a state body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the state body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

(E) At least one member of the state body be physically present at the location specified in the notice of the meeting.

(c) A state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically

or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the state body allow members of the public to attend the meeting and offer public comment. A state body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a state body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the state body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each state body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a state body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the state body's internet website.

(f) All state bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to state body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 3. Section 54953 of the Government Code is amended to read:

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

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings 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. 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). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, “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. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(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 (Chapter 3.5 (commencing with Section 6250) of Division 7 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) 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 any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) 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.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), 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) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(B) 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.

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

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency 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 which prevents members of the public from offering public comments using the call-in option or internet-based service option, the 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 which prevents the public agency 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. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(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.

(G) (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 (F), 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 (F), 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 (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

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

(B) Any of the following circumstances exist:

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

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, “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).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 3.1. Section 54953 of the Government Code is amended to read:

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 in person, except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

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

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings 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. 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). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, “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. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(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 (Chapter 3.5 (commencing with Section 6250) of Division 7 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) 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 any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) 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.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), 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) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

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

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency 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 which prevents members of the public from offering public comments using the call-in option or internet-based service option, the 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 which prevents the public agency 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. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(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.

(G) (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 (F), 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 (F), 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 (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

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

(B) Any of the following circumstances exist:

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

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, “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).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 4. Section 54953 is added to the Government Code, to read:

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

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings 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. 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 subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, “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. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations

(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 (Chapter 3.5 (commencing with Section 6250) of Division 7 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) This section shall become operative January 1, 2024.

SEC. 4.1. Section 54953 is added to the Government Code, to read:

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, in person except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

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

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings 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. 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 subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, “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. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(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 (Chapter 3.5 (commencing with Section 6250) of Division 7 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) This section shall become operative January 1, 2024.

SEC. 5. Sections 3.1 and 4.1 of this bill incorporate amendments to Section 54953 of the Government Code proposed by both this bill and Assembly Bill 339. Those sections of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2022, but this bill becomes operative first, (2) each bill amends Section 54953 of the Government Code, and (3) this bill is enacted after Assembly Bill 339, in which case Section 54953 of the Government Code, as amended by Sections 3 and 4 of this bill, shall remain operative only until the operative date of Assembly Bill 339, at which time Sections 3.1 and 4.1 of this bill shall become operative.

SEC. 6. It is the intent of the Legislature in enacting this act to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future applicable emergencies, by allowing broader access through teleconferencing options consistent with the Governor's Executive Order No. N-29-20 dated March 17, 2020, permitting expanded use of teleconferencing during the COVID-19 pandemic.

SEC. 7. The Legislature finds and declares that Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, further, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in teleconference meetings during applicable emergencies.

SEC. 8. (a) The Legislature finds and declares that during the COVID-19 public health emergency, certain requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code) were suspended by Executive Order N-29-20. Audio and video teleconference were widely used to conduct public meetings in lieu of physical location meetings, and public meetings conducted by teleconference during the COVID-19 public health emergency have been productive, have increased public participation by all members of the public regardless of their location in the state and ability to travel to physical meeting locations, have protected the health and safety of civil servants and the public, and have reduced travel costs incurred by members of state bodies and reduced work hours spent traveling to and from meetings.

(b) The Legislature finds and declares that Section 1 of this act, which adds and repeals Section 89305.6 of the Education Code, Section 2 of this act, which adds and repeals Section 11133 of the Government Code, and Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, all increase and potentially limit the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

(1) By removing the requirement that public meetings be conducted at a primary physical location with a quorum of members present, this act protects the health and safety of civil servants and the public and does not preference the experience of members of the public who might be able to attend a meeting in a physical location over members of the public who cannot travel or attend that meeting in a physical location.

(2) By removing the requirement for agendas to be placed at the location of each public official participating in a public meeting remotely, including from the member's private home or hotel room, this act protects the personal, private information of public officials and their families while preserving the public's right to access information concerning the conduct of the people's business.

SEC. 9. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure that state and local agencies can continue holding public meetings while providing essential services like water, power, and fire protection to their constituents during public health, wildfire, or other states of emergencies, it is necessary that this act take effect immediately.

O

Please find below the rental information for several possible spaces for Committee and Board meetings. All of these facilities would require an investment of approx. \$7000 in equipment to be installed for hybrid (virtual/in-person) meetings. All prices are for non-profit agencies.

None of the locations I spoke with were very receptive to permanent equipment going into their facilities for hybrid meeting facilitation.

Highlands Park Senior Center

This facility is currently closed but is scheduled to reopen in November 2021. Committee meetings would have to be scheduled around classes and services provided by the facility but currently not available. This facility is ADA compliant. We have used this space in the past and it has WiFi available but it is unknown if it will comply with advanced connectivity needed for hybrid meetings.

Pricing:	<u>8 Hour Rental</u>	<u>4 Hour Rental</u>	<u>Hourly Rental</u>
Entire Facility	\$475	\$235	
Auditorium	\$400	\$150	\$50
Multi-Use Room	\$100	\$50	\$20
Deposit/Cleaning	\$346	\$298	\$12/hour + \$250

Felton Community Hall

This facility has several scheduled activities and meetings scheduled both during the day and evenings that we would have to schedule around. They require that the floors be swept and mopped after each use. This facility is ADA compliant. We have used this space in the past and it has WiFi available but it is unknown if it will comply with advanced connectivity needed for hybrid meetings.

Pricing:	<u>Deposit</u>	<u>8 Hour Rental</u>	<u>4 Hour Rental</u>	<u>Hourly Rental</u>
Auditorium (M-Th)	\$350	\$365	\$220	\$60
Auditorium (F - Su)	\$350	\$440	\$225	\$75
Meeting Room (M-Th)	\$150	\$220	\$125	\$40
Meeting Room (F-Su)	\$150	\$280	\$145	\$40

Quail Hollow SLVUSD

Quail Hollow only rents its fields. They do not allow others to use their boardroom.

The Performing Arts Complex

The Performing Arts Complex (PAC) is a stage and auditorium, not a boardroom. They do have cameras and monitors but they are for in house use and not connected to internet.

Redwood School

SLVUSD suggested that we look at the Redwood School but they are planning a renovation in the next few years and would be unavailable then. Also, the Redwood School is at the very far end of the District and not centrally located.

Oddfellows Hall

The available rooms are too small (and dark). They do not allow the rental of the main hall; it is considered sacred to the organization.

Boulder Creek Library

Closed for remodeling and doesn't have a large enough room.

Felton Library

The Felton Library is not available for after-hours use at this time. There is a possibility that we will be allowed to apply to become a community partner with the Santa Cruz Public Libraries and have access but they do not have a process for that at this time.

Other Locations

In the past we have used various other meetings facilities but they have all been rejected as possible permanent locations due to scheduling, access, location, etc.

- Bear Creek Estates
- Boulder Creek Fire Station
- Spring Lakes Park
- Zayante Fire Station