Supplemental Council Agenda Report

City Council Meeting
05-26-26
Item 6.A.

To: Mayor Silverstein and the Honorable Members of the City Council

Prepared by: Kelsey Pettijohn, City Clerk

Approved by: Joseph D. Irvin, City Manager
Trevor Rusin, Interim City Attorney

Date prepared: May 7, 2026 Meeting date: May 26, 2026

Subject: City Council and Commission Meeting Format and Rules of Procedure and Decorum

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RECOMMENDED ACTION: 1) Adopt Resolution No. 26-27 establishing the Rules of Procedure and Decorum for the conduct of City Council meetings, setting the start time and format for Regular City Council Meetings, and repealing Resolution Nos. 98-083 and 24-39; 2) Adopt City Council Policy No. 54 Disruption of Telephonic or Internet Service During Meetings; and 3) Adopt revised City Council Policy No. 28 Establishing the Procedure for Placement of Items by City Councilmembers on City Council Agendas.

FISCAL IMPACT: There is no direct fiscal impact associated with the recommended action.[1]

STRATEGIC PLAN IMPLEMENTATION: N/A.

DISCUSSION: On August 25, 2025, the City Council discussed the format of City Council meetings, including the regular meeting time and hybrid participation format, to better promote community engagement and utilize staff resources.

Following discussion, the City Council directed staff to return with proposed revisions as follows:

- **Meeting Start Time**: Move the meeting start time up to 4:30 p.m.

[1] On April 13, 2026, the City Council approved the agreement with Western A/V for the City Hall Audio-Visual and Broadcast System Upgrade Project. This project will replace equipment in the Council Chambers/Civic Theater and support a more stable connection for remote participation.

- **Public Comment and City Council Meeting Attendance Reports and Inquiries:** Public comment for items not on the agenda and Council Meeting Attendance Reports and Inquiries will be noticed to be heard at or after 6:30 p.m., but the Council may take up other items on the agenda before 6:30 p.m.
- **Presentations:** Ceremonial/Presentation items will be limited to three per agenda, and each presentation should take no more than ten minutes.
- **General Public Comment (Items Not on the Agenda):**
    - Allow audiovisual presentation materials only for scheduled items, not for general public comment.
    - Eliminate time deferrals during general public comment.
- **Remote Participation:** Implement webinar registration to take speaker signups and better manage remote participation
- **Land Use Matters:** Schedule appeals for Special Meetings to reduce the existing backlog. Require publication of the agenda report 30 days in advance, all written comments and presentation materials from the applicant or appellant to be submitted 10 business days in advance of the hearing, and all written comments and presentation materials from members of the public to be submitted three business days in advance of the hearing.

Since that meeting, Senate Bill (SB) 707 was signed into law on October 3, 2025, creating new requirements for remote public participation at meetings of city councils. This provision goes into effect July 1, 2026 and the specific teleconference requirements make the previously considered webinar registration model impractical to implement. Staff will continue to analyze SB 707 and options for implementing its provisions. If tools to manage remote participation are identified that comply with SB 707's requirements, staff will bring a recommendation forward to the City Council for their adoption. Staff is also refining the procedures to use the "raise hand" feature in Zoom to take public comment and better document the remote speaker signups. The SB 707 requirements for remote participation mandate that remote participants receive the same speaking time allotments as members of the public attending in person. Because it is difficult to verify whether individuals deferring time online are real, distinct participants, the Council has limited time deferrals to those attending in person to prevent administrative challenges and potential abuse. To have a process that is easily understood by the public, staff recommends eliminating or suspending time deferrals at this time. Alternatively, the Council may allow in-person participants to defer their time to individuals participating either in person or remotely.

Staff have now implemented the Council's direction to schedule hearings for land use matters for Special Meetings, and have implemented the staff report and correspondence deadlines directed by the Council. Resolution No. 26-27 memorializes these deadlines, but allows them to be adjusted by the City Manager and City Clerk to accommodate the scheduling of time-sensitive hearings. The City Council has approved a series of Special Meetings in 2026 and staff will continue scheduling one to two hearings per special meeting until the backlog is reduced.

To provide clear instructions for the public, consistent with the other material deadlines for City Council meetings, staff recommends setting a deadline for public correspondence for regular and special meetings. The proposed deadline is 10:00 a.m. the day of the meeting for public correspondence and presentation materials for items on the agenda—other than appeals which must adhere to the specific deadlines for those hearings.

The intent of eliminating time deferrals and audio-visual presentations for general public comment will help focus that item and the speakers on concise introductory comments so the Council and the public can prioritize scheduled business for its meetings. As the Council cannot discuss items that are not on the agenda, fulsome presentations should be reserved for when an item has been placed on the agenda and the public has notice that the item will be discussed.

Following general public comment, Councilmembers often comment on the concerns/issues raised by the speakers, however the City Council cannot take action at this time due to the Brown Act and these inquiries often delay the hearing of scheduled business--sometimes resulting in scheduled items being continued to future meetings.

The Council is required to provide meeting attendance reports during this time and should have the opportunity to refer issues raised during general public comment to staff. For meeting efficiency, staff is proposing a 10-minute limit per Councilmember for this item. Dealing with similar challenges, the Planning Commission has adopted a three-minute limit on Commissioner responses to public comments and staff follow-up, and has moved Planning Commission Inquiries to the end of the agenda.

Staff completed the first comprehensive review of the Rules of Procedure and Decorum since their adoption in 1998 and has made minor revisions. Notable updates include removing references to Quarterly Review Meetings, adding references to the Code of Conduct for Public Officials adopted in 2024, clarifying that members of the public wishing to comment on Ceremonial or Presentation items may do so during the Consent Calendar public comment period, and addressing presentation time for appeal hearings where more than one appeal has been filed. Members of the public will continue to have the opportunity to speak directly on any Ceremonial or Presentation item on which the Council will take action, such as the election of the Mayor and Mayor Pro Tem. For appeal hearings where more than one appeal has been filed, applicants will have an additional 10 minutes, for each appeal, that may be allocated between their presentation and rebuttal.
Staff's additional recommendations are summarized below:

- **Remote Participation:** Continue using raise hand function in Zoom for remote speakers in hybrid meetings in compliance with SB 707.
- **Land Use Matters:** Allow the schedule for land use hearings to be modified by the City Manager and City Clerk to account for time-sensitive projects.

- **Public Correspondence:** Set a 10:00 a.m. deadline for public correspondence and presentation materials.
- **City Council Meeting Attendance Reports and Inquiries:** Limit the time to 10 minutes per Councilmember.
- **Time Deferrals:** Eliminate time deferrals to comply with SB 707 requirements.

Resolution No. 26-27 reflects the direction from the August 25, 2026 meeting and these additional recommendations. If approved by the City Council, the revised format and time will take effect on July 1, 2026. At a future meeting, staff will bring back an item to review the new format and consider providing direction to the Planning Commission on its meeting time and format to ensure consistency between bodies.

Revisions to City Council Policy No. 28 are recommended to correct a discrepancy between the deadlines for Councilmember items in City Council Policy No. 28 and the City Council Rules of Procedure and Decorum. Resolution No. 98-83 currently requires requests for Councilmember items to be submitted to the City Manager not later than twelve days before the regular meeting. City Council Policy No. 28 was not amended after the adoption of Resolution No. 98-83 and erroneously references a deadline from the prior Rules of Procedure and Decorum. The revised policy will also be consistent with Resolution No. 26-27.

SB 707 Disruption Policy

SB 707 requires the City to formally adopt, on or before July 1, 2026, a policy establishing procedures for recessing and reconvening a meeting in the event of a disruption to remote participation services, as well as the good-faith efforts the City Council and staff must undertake to restore such services. If telephonic or internet service is disrupted and the public is unable to participate, the meeting must be recessed while the City makes reasonable efforts to restore access. The City Council may not reconvene in open session until at least one hour after the disruption or until service has been restored, whichever occurs first. During this period, the City Council may convene in closed session. If service has not been restored after one hour, the meeting may resume if the City Council adopts a finding by roll-call vote that good-faith efforts to restore telephonic or internet service have been made. The Council also has the option to adjourn the meeting rather than wait for attempts to fix the problem.

Although it is not required by SB 707, staff also included a provision addressing the cancellation or adjournment of City Council meetings during Public Safety Power Shutoff that affect a significant portion of the residents, but do not impact the City's ability to offer remote participation. At the January 23, 2023 Regular Meeting, the City Council previously directed that meetings be canceled when a power outage or other disruption prevents half or more of the City from participating remotely. With the City now required to provide remote participation, staff recommends establishing a 30% threshold to cancel the meeting, recognizing that more residents will reasonably expect to be able to participate

remotely and may not be able to adjust their plans once a Public Safety Power Shutoff is initiated.

Staff recommends adopting City Council Policy No. 54 Disruption of Telephonic or Internet Service During Meetings.

ATTACHMENTS:

1. Resolution No. 26-27 establishing Rules of Procedure and Decorum for the conduct of City Council meetings
2. City Council Policy No. 54 Disruption of Telephonic or Internet Service During Meetings
3. Revised City Council Policy No. 28 Establishing the Procedure for Placement of Items by City Councilmembers on City Council Agenda
4. Rules of Procedure and Decorum Redline
5. Draft Agenda Format
6. SB 707
7. August 25, 2025 Agenda Report No. 6.A. City Council and Commission Meeting Format and Rules of Procedure and Decorum

RESOLUTION NO. 26-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU ESTABLISHING RULES OF PROCEDURE AND DECORUM FOR THE CONDUCT OF CITY COUNCIL MEETINGS, SETTING THE START AND FORMAT FOR REGULAR CITY COUNCIL MEETINGS, AND REPEALING RESOLUTION NOS. 98-083 AND 24-39

The City Council of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. The following rules of procedure and decorum are hereby adopted.

I. Rules for City Councilmembers.

A. Decorum: Members of the City Council shall conduct themselves in an orderly and business-like manner to ensure that the business of the City shall be attended to efficiently and thoroughly and to ensure that the integrity of the deliberative process of the City Council is maintained at all times. Members of the City Council shall maintain a polite respectful and courteous manner when addressing one another, the City staff and members of the public during Council meetings. Members of the City Council shall conduct themselves in accordance with the City's Code of Conduct for Public Officials.

B. Role of the Presiding Officer: The presiding officer of the City Council, who shall be the Mayor, or in the Mayor's absence the Mayor Pro Tempore, or in the absence of both the Mayor and Mayor Pro Tempore the remaining longest-serving member of the Council shall be responsible for maintaining the order and decorum of meetings. It shall be the duty of the presiding officer to ensure that these rules of procedure and decorum are followed at all times. The presiding officer shall maintain control of communication between Councilmembers, between the Council and the public and chair each meeting in a fair and impartial manner. It shall be the duty of each Councilmember to support the presiding officer in maintaining the order and decorum of Council meetings.

C. Communication between City Councilmembers: Councilmembers should request the floor of the presiding officer before speaking. Councilmembers shall speak in turn and no Councilmember shall speak again until all Councilmembers shall have had the opportunity to speak. Councilmembers shall remember that the purpose of the City Council meeting is to conduct the business of the City. Councilmembers shall avoid repetition and shall endeavor to limit their comments to the subject matter at hand. Councilmembers should endeavor to express their views without engaging in lengthy debates. When one Councilmember is speaking other Councilmembers shall not interrupt or disturb the speaker. During questions and deliberations the presiding officer shall vary the speaking sequence of Councilmembers from item to item.

D. Communication with the Public Addressing the City Council: On specific agenda items Councilmembers may question any person addressing the City Council at the conclusion of all public testimony on that agenda item before the Council. Councilmembers shall not engage any member of the public in a dialogue with themselves other City Councilmembers, city staff or other members of the public. All requests to speak shall be made to the presiding officer. If a member of the public addresses the Council on a matter

not on the meeting's agenda (during public comment) Councilmembers shall refrain from a discussion of the matter. Public comments requesting specific Council discussion and/or action shall be summarized by the presiding officer following all public comments. Such matters may, at the direction of a majority of the City Council, be placed on a future agenda for discussion and/or action. Comments, proposals for future agenda items, and follow-up questions by Councilmembers should be brief and limited to no more than 10-minutes per Councilmember.

II. Rules for City staff.

A. Decorum: City staff shall not engage in dialogue with members of the public during Council meetings. When addressed by a City Councilmember the staff shall respond in a polite, respectful and courteous manner. All requests to speak shall be made to the presiding officer.

B. Role of the City Manager: The City Manager's duties during City Council meetings shall include keeping a record of actions requested by the City Council that require staff work. The City Manager shall conduct themselves in accordance with the City's Code of Conduct for Public Officials.

III. Rules for Members of City Commissions, Boards and Committees.

A. Decorum: Members of City Commissions, Boards and Committees, when addressed by a City Councilmember, shall respond in a polite, respectful and courteous manner.

B. Role: Each advisory Commission, Board or Committee shall send their Chairperson or other designated member to address the Council on any factual inquiries on recommendations made by their Commission, Board or Committee. Chairpersons or designated members should answer such Council questions promptly and specifically. Members of the City's Commissions, Boards, and Committees shall conduct themselves in accordance with the City's Code of Conduct for Public Officials.

IV. Rules for the Public.

A. Members of the Audience: Members of the audience shall not engage in disorderly or boisterous conduct, including clapping, whistling, stamping of feet, or other acts which disturb, disrupt, impede or otherwise disturb the orderly conduct of the City Council meeting.

B. Persons Addressing the City Council: Members of the public shall have the opportunity to address the City Council on any items on the City Council agenda that are heard. Public comment will be taken first by those physically in City Council Chambers at the time the item is called. Any person wishing to address the Council in-person should fill

out a speaker slip and submit that slip to the Recording Secretary prior to that agenda item being announced by the presiding officer. Members of the public shall have the opportunity to participate remotely. Remote speakers should identify themselves per the instruction on the meeting agenda. Speakers may elect not to provide their true name or other personal information.

No person shall address the City Council without first being recognized by the presiding officer. Members of the public addressing the City Council shall have three minutes to speak on each item on the agenda and also during general public comment for items not on the agenda. Individuals wishing to comment on the Consent Calendar items will have one opportunity speak on the Consent Calendar as a whole; e.g. the items on the consent calendar shall be treated as a single item under these rules instead of as individual items. The Mayor or the Council, by majority vote, may alter these time limits.

Persons addressing the City Council on a specific agenda item shall confine their remarks to that agenda item. Any public requests for staff comment shall be made to the presiding officer who, in their discretion, may direct such inquiries to the City Manager or City Attorney. Persons addressing the City Council shall not engage in disorderly conduct which disrupts, or otherwise impedes the orderly conduct of, Council meetings. Any person who so disrupts a Council meeting may, at the discretion of the presiding officer or a majority of the City Council, be subject to ejection from that meeting and/or muting in compliance with State Law and the City's policies.

C. Submission of Written Comments and Presentation Materials: Written comments, including emails, letters, and other written materials, may be submitted in advance of the meeting. The subject of each written comment should refer to an item listed on the agenda for a specific City Council meeting and submitted per the instructions on the agenda. In order to allow for the distribution and review of written materials before the meeting, written comments must be submitted electronically by 10:00 a.m. for regular meetings, or the time indicated on the agenda for special meetings. Written comments so provided will be distributed to the City Council and made available to the public.

Audiovisual presentation materials may be submitted for any item per the instructions on the agenda. Audiovisual presentation materials will not be accepted or displayed for public comment for items not on the agenda. Audiovisual presentation materials must be submitted by 10:00 a.m. for regular meetings, or the time indicated on the agenda for special meetings.

Members of the public wishing to distribute materials to the City Council after the deadlines set forth on the agenda may do so in person by providing eight (8) copies for all Councilmembers, the City Manager, the City Attorney, and the City Clerk.

Written comments and presentation materials for Public Hearings for Land Use

Appeals/Applications follow the procedures and deadlines described in Section VIII(A).

V. Enforcement: Upon violation of these Rules, the presiding officer shall request that person violating these rules cease such conduct. If, after a warning from the presiding officer, the person persists in disrupting the meeting, the presiding officer may order the person to leave the City Council meeting and/or mute such person in compliance with State Law and the City's policies. If the person does not leave the meeting, the presiding officer may order any law enforcement officer on duty to act as Sargent-at-arms and remove the person from the City Council chambers in compliance with State Law and the City's policies. Any person who resists removal by the Sargent-at-arms may be charged with a violation of these rules as well as any other applicable ordinance or law. If the presiding officer of the City Council fails to enforce these Rules, a majority of the City Council may vote to designate another Councilmember to act as presiding officer who may then enforce these rules. If a meeting of the City Council is disrupted in such a manner as to make infeasible the restoration of order, the presiding officer or a majority of the City Council may exercise the authority granted by State Law and order the meeting room cleared and then continuing the meeting in such a manner as authorized by State Law

VI. City Council Agendas.

A. Format: The format of the City Council agendas shall be as follows, unless otherwise re-ordered by Council at a specific meeting.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Closed Session Report
5. Report on Posting of the Agenda
6. Approval of the Agenda
7. Consent Calendar
8. Ceremonial/Presentation(s)
9. Commission/Committee/City Manager Updates
10. Written and Oral Communications from the Public (To be heard no sooner than 6:30 p.m.)
    i. General Public Comment – Matters not on the Agenda
    ii. City Council Meeting Attendance Reports and Inquiries
11. Ordinances and Public Hearings
12. Old Business
13. New Business
14. Council Items
15. Adjournment

General Public Comment and City Council Reports and Meeting Attendance Reports shall be heard at 6:30 p.m., or as soon thereafter as possible once the current

item under discussion is concluded. Any member of the public who wishes to comment on Ceremonial/Presentation matters shall do so during the time reserved for the Consent Calendar

Councilmember reports and inquiries will be limited to 10 minutes per Councilmember. This time is reserved for the Councilmembers to report on their activities, ask staff follow-up questions from public comment, make a brief comment regarding public comments received or request an item be added to a future agenda. Discussion and comments that are not brief are prohibited.

Ceremonial and Presentation items shall be limited to no more than three items at one meeting, and presentations should take no more than 10 minutes each, unless otherwise approved by the City Manager.

B. The schedule for regular City Council meetings is governed by Malibu Municipal Code Section 2.08.010. This section allows the meeting time to be changed by resolution of the City Council. The regular meeting time of the City Council is hereby adopted as follows:

1. Regular meetings of the City Council shall be held on the second and fourth Mondays of each month at 4:30 p.m. Closed session may be held between 3:30 p.m. and 4:30 p.m. No closed session will be held during said hours unless the posted agenda of the regular meeting indicates that such sessions will take place; in the absence of such notification, the regular meeting shall commence at the hour of 4:30 p.m.

2. Prompt Call to Order at 4:30 p.m. and adjournment by 10:30 p.m.

    a. The City Council shall start their regular meetings promptly at 4:30 p.m. The City Council shall not hear any new items of business after 10:30 p.m. unless two-thirds of City Councilmembers vote to do so.

C. Placement of Items on a City Council Meeting Agenda by a Councilmember: All items to be placed on a City Council meeting agenda must be submitted to the City Manager not later than twelve days preceding the City Council meeting. Individual City Councilmembers must submit a brief report to the Council explaining their item and supporting materials for the items by this deadline. To avoid overloading the staff or the Council agenda, individual Councilmembers should not submit more than one agenda item per Council meeting. The City Manager shall be responsible for scheduling all other agenda items submitted by City staff, consultants or recommendations from City Commissions, Boards or Committees unless otherwise specifically directed by a majority of the City Council at a public meeting.

VII. Robert's Rules Of Order.

In all matters and things not otherwise provided for herein, the proceedings of the City Council shall be governed by "Robert's Rules Of Order, Newly Revised." as amended by State law. Councilmembers should familiarize themselves with rules concerning making main motions, making motions to amend, postpone (continue to date certain or indefinitely), table or refer to staff, subcommittee or another body, calling the previous question (to close debate) or recess (break), rising to points or order (procedure), personal privilege (too noisy, personal insult) or information and motions to reconsider a matter already decided by the Council, divide motion(s), ask for a roll call vote, suspend the rules, overrule the chair, move the agenda and adjourn. However, no action of the City Council shall be invalidated or the legality thereof affected by the failure or omission to observe or follow Robert's Rules of Order.

VIII. Public Hearings.

A. Public Hearings for Land Use Appeals/Applications

At the start of each public hearing required by law, the presiding officer shall announce the item for the public hearing and then introduce the staff report. Following the staff report, the applicants, appellants, and/or their representatives shall speak first and have fifteen (15) minutes to do so, any portion of which may be used for rebuttal. When more than one separate appeal is filed, the applicant shall receive an additional 10 minutes, for each appeal, that may be allocated between their presentation and rebuttal. Following the initial presentations from the appellant and applicant, members of the public shall have the opportunity to address the City Council following the normal rules for public comment. Following all public testimony, the presiding officer shall recognize Councilmembers who have questions for any of the speakers, members of the public in attendance, chairpersons or a designated representative of city commissions, boards or committees, city staff or consultants. Following the conclusion of such questions, the presiding officer shall allow the appellant and the applicant their remaining time for rebuttal. Following the rebuttal, the presiding officer shall close the public hearing and then allow each Councilmember to state his/her opinion on the item before asking for a motion to decide the matter.

Agenda reports for land use appeals/applications shall be posted thirty (30) days in advance of the hearing. Any written comments or audiovisual materials for the hearing from the applicants, appellants, and/or their representatives, including any that they intend to present at the hearing, must be submitted ten (10) business days in advance, as indicated on the agenda. Any written comments or audiovisual materials from members of the public, including any that they intend to present at the hearing, must be submitted three (3) business days in advance, as indicated on the agenda. These deadlines may be modified at the discretion of the City Manager and City Clerk. Modifications to the deadlines shall be indicated on the meeting agenda. No additional materials from any party or the public will be accepted after the deadlines indicated on

the agenda.

B. Other Public Hearings Required by Law

Ordinances and other legislative actions which require noticed public hearings will be scheduled accordingly. When a matter for public hearing comes before the City Council, the presiding officer shall open the public hearing and follow the process as legally required.

IX. Suspension of the Rules.

Any provision of these Rules not already governed by the City ordinance or State Law may be suspended by majority vote of the City Council.

SECTION 2. This resolution supersedes and replaces Resolution Nos. 98-083 and 24-39.

SECTION 3. This resolution shall take effect July 1, 2026.

SECTION 4. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, and ADOPTED this __th day of ____ 2026.

_____
BRUCE SILVERSTEIN, Mayor

ATTEST:

_____
KELSEY PETTIJOHN, City Clerk
(seal)

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED
BY THE CITY ATTORNEY'S OFFICE

_____
TREVOR RUSIN, Interim City Attorney

City of Malibu

City Council Policy

Policy #54

Title: Disruption of Telephonic or Internet Service During Meetings

Purpose:
Senate Bill 707 (2025) amended the Brown Act to require eligible legislative bodies to adopt, on or before July 1, 2026, a policy addressing how the agency will respond to disruptions in telephonic or internet service that prevent members of the public from participating remotely.

This policy establishes procedures for responding to a disruption in the telephonic or internet services that provide two-way remote public access to meetings of the City Council of the City of Malibu, as required by the Brown Act (Government Code section 54953.4). The policy ensures transparency, public participation, and the continuation of meetings during technological disruptions.

Policy Statement:

1. Definitions

"Service Disruption" means any failure, outage, or other interruption to the agency's remote access services that prevents members of the public from participating in a City Council meeting through the remote access service.

"Disrupting" means engaging in behavior during a meeting of the City Council that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to one of the following:

a. A failure to comply with reasonable and lawful regulations adopted by the City Council of the City of Malibu

b. Engaging in behavior that constitutes use of force or a true threat of force.

"Remote access services" means the two-way telephonic service and/or two-way audiovisual platform used to provide real-time remote public attendance and observation of meetings.

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

"Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.

"True threat of force" means a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat.

2. Applicability

This policy applies to all open and public meetings of the City Council at which remote public participation is required under the Brown Act. Consistent with the Brown Act, this policy shall not apply to the following meetings:

a. Meetings held to attend a judicial or administrative proceeding to which the City of Malibu is a party.

b. Meetings held to inspect real or personal property provided that the topic of the meeting is limited to items directly related to the real or personal property.

c. Meetings held to meet with elected or appointed officials of the United States or the State of California, solely to discuss a legislative or regulatory issue affecting the City of Malibu and over which the federal or state officials have jurisdiction.

d. Meetings held to meet in or nearby a facility owned by the City if Malibu, provided that the topic of the meeting is limited to items directly related to the facility.

e. Meetings held in an emergency situation pursuant to Government Code section 54956.5.

3. Remote Public Access Generally

When remote public access is required under the Brown Act, the City Council shall provide members of the public with an opportunity to attend and participate in the meeting using a two-way audiovisual platform or a two-way telephonic service, provided that adequate telephonic or internet service is operational at the meeting location.

If adequate telephonic or internet service is not operational at the meeting location, the City Council shall not be required to provide remote access. If adequate telephonic or internet service is operational for only a portion of the meeting, the City Council shall provide remote access during that portion of the meeting.

If a two-way audiovisual platform is used, the City Council shall:

a. Publicly post and provide a call-in option as well; and
b. Activate any automatic captioning function that is available in the audiovisual platform.

If a two-way audiovisual platform is not provided, the City Council shall provide a two-way telephonic service.

Members of the public participating remotely shall be provided the same opportunity to provide public comment as members of the public attending in person, including the same time allotment.

4. Response to Service Disruption

If the Mayor or City Clerk becomes aware of a service disruption:

a. The Mayor or City Clerk shall immediately announce the service disruption to the public.

b. The Mayor shall call for a recess of the open session and may convene the legislative body in an authorized closed session, consistent with the Brown Act. The recess shall last for one hour or until service is restored, whichever is earlier. Alternatively, the Council may adjourn the meeting and continue all items to a future date.

c. During the recess, City staff shall make a good faith effort to diagnose and restore the disrupted service.

5. Reconvening the Open Session

After the expiration of the hour, if service has not been restored, the Mayor or City Clerk shall report on the status of staff's efforts to restore remote access services, and the City Council may reconvene to:

a. Adjourn the meeting;

b. Extend the recess to allow staff more time to make a good faith effort to restore remote access services; or

c. Continue the open session portion of the meeting by adopting, by roll call vote, the following or a substantially similar finding:

"The City of Malibu has made good faith efforts to restore telephonic or internet service in accordance with its adopted policy, and the public interest in continuing the meeting outweighs the public interest in remote public access."

Upon adoption of the finding, the City Council may continue the open session portion of the meeting despite the fact that remote access services have not been restored.

6. Recordkeeping

The City Clerk shall enter a brief statement into the meeting minutes, including:

- The nature and time of the service disruption;
- The time the meeting was reconvened (if applicable);
- Any finding adopted pursuant to Section 7.

7. Response to Members of the Public Disrupting a Meeting

If the Mayor or City Clerk becomes aware of a member of the public who is attending the meeting through remote access services and is disrupting the meeting or otherwise preventing other members of the public from attending or observing the meeting remotely or in-person:

a. The Mayor or City Clerk shall warn the person who is participating through remote access services that he or she is disrupting the meeting and his or her failure to cease that behavior may result in his or her removal.

b. If the person to whom the Mayor gave the above warning persists in disrupting the meeting, the Mayor shall order staff to:

   i. mute or otherwise limit the individual's ability to disrupt the meeting, while allowing the individual to continue to observe and attend the meeting; or

   ii. remove the individual from the meeting if paragraph (a) does not address the disrupting behavior or is not available using the remote access service.

8. Other Disruptions

The City of Malibu is in a Very High Fire Hazard Severity Zone and is therefore frequently subject to Public Safety Power Shutoff (PSPS) events. In some instances, these events may affect a significant portion of the City's residents without disrupting the City's remote access services. If a PSPS event occurs on the day of a scheduled City Council meeting, City staff will evaluate whether the outage impacts more than 30% of the residential customers in the City of Malibu. This evaluation will be based on the most recent customer report requested from Southern California Edison. If the outage exceeds this threshold, the City Clerk, in consultation with the City Manager, may adjourn or cancel the meeting.

9. Review and Updates

This policy may be amended by the City Council at a noticed public meeting in open session and may not be placed on the consent calendar.

Date Adopted:
May 26, 2026

City of Malibu

City Council Policy

Policy #28

Title: Placement of Items by City Councilmembers on City Council Agendas

Purpose: To establish the means by which individual members of the City Council may place an item on a City Council agenda for consideration

Policy Statement:

Individual members of the City Council may place an item on a City Council agenda for consideration by the Council when less than one hour of staff work is involved in preparing the item by providing agenda back-up material to the staff. When more than one hour of staff work is to be required to prepare necessary back-up materials, the individual member may submit a written or verbal request at the City Council meeting for a vote to have the matter placed on a future agenda for consideration.

Implementation:

Resolution No. 26-27 requires that items to be placed on the agenda must be submitted to the City Manager not later than twelve days before the regular City Council meeting. A written request for the item to be placed on the agenda, in the case where it is estimated that staff work to prepare background material will exceed one hour, shall be forwarded to each member of the City Council and included in the final agenda packet available to the general public at the meeting. In the case of back-up material submitted for an item which will take less than one hour of staff time to prepare, both the back-up material and the staff work related to the item will be forwarded to each member of the City Council and included in the final agenda packet available to the general public at the meeting.

Date Adopted:

January 12, 1998

Date Amended:

May 26, 2026

SECTION 1. The following rules of procedure and decorum are hereby adopted.

I. Rules for City Councilmembers.

A. Decorum: Members of the City Council shall conduct themselves in an orderly and business-like manner to ensure that the business of the City shall be attended to efficiently and ~~throughly~~thoroughly and to ensure that the integrity of the deliberative process of the City Council is maintained at all times. Members of the City Council shall maintain a polite respectful and courteous manner when addressing one another, the City staff and members of the public during Council meetings. Members of the City Council shall conduct themselves in accordance with the City's Code of Conduct for Public Officials.

B. Role of the Presiding Officer: The presiding officer of the City Council~~.~~, who shall be the Mayor, or in the Mayor's absence the Mayor Pro Tempore, or in the absence of both the Mayor and Mayor Pro Tempore the remaining longest-serving member of the Council shall be responsible for maintaining the order and decorum of meetings. It shall be the duty of the presiding officer to ensure that these rules of procedure and decorum are followed at all times. The presiding officer shall maintain control of communication between ~~Council Members~~Councilmembers, between the Council and the public and chair each meeting in a fair and impartial manner. It shall be the duty of each Councilmember to support the presiding officer in maintaining the order and decorum of Council meetings.

C. Communication between City Councilmembers: Councilmembers should request the floor of the presiding officer before speaking. Councilmembers shall speak in turn and no Councilmember shall speak again until all Councilmembers shall have had the opportunity to speak. Councilmembers shall remember that the purpose of the City Council meeting is to conduct the business of the City. Councilmembers shall avoid repetition and shall endeavor to limit their comments to the subject matter at hand. Councilmembers should endeavor to express their views without engaging in lengthy debates. When one Councilmember is speaking other Councilmembers shall not interrupt or disturb the speaker. During questions and deliberations the presiding officer shall vary the speaking sequence of Councilmembers from item to item.

D. Communication with the Public Addressing the City Council: On specific agenda items Councilmembers may question any person addressing the City Council at the conclusion of all public testimony on that agenda item before the Council. Councilmembers shall not engage any member of the public in a dialogue with themselves other City Councilmembers, city staff or other members of the public. All requests to speak shall be made to the presiding officer. If a member of the public addresses the Council on a matter not on the meeting's agenda (during public comment) Councilmembers shall refrain from a discussion of the matter. Public comments requesting specific Council discussion and/or action shall be summarized by the presiding officer following all public comments. Such matters may, at the direction of a majority of the City Council, be placed on a future agenda for discussion and/or action. Comments, proposals for future agenda items, and follow-up

questions by Councilmembers should be brief and limited to no more than 10-minutes per Councilmember.

II. Rules for City staff.

A. Decorum: City staff shall not engage in dialogue with members of the public during Council meetings. When addressed by a City Councilmember the staff shall respond in a polite, respectful and courteous manner. All requests to speak shall be made to the presiding officer.

B. Role of the City Manager: The City Manager's duties during City Council meetings shall include keeping a record of actions requested by the City Council that require staff work. The City Manager shall conduct themselves in accordance with the City's Code of Conduct for Public Officials.

III. Rules for Members of City Commissions, Boards and Committees.

A. Decorum: Members of City Commissions, Boards and Committees, when addressed by a City Councilmember, shall respond in a polite, respectful and courteous manner.

B. Role: Each advisory Commission, Board or Committee shall send their Chairperson or other designated member to address the Council on any factual inquiries on recommendations made by their Commission, Board or Committee. Chairpersons or designated members should answer such Council questions promptly and specifically. Members of the City's Commissions, Boards, and Committees shall conduct themselves in accordance with the City's Code of Conduct for Public Officials.

IV. Rules for the Public.

A. Members of the Audience: Members of the audience shall not engage in disorderly or boisterous conduct, including clapping, whistling, stamping of feet, or other acts which disturb, disrupt, impede or otherwise disturb the orderly conduct of the City Council meeting.

B. Persons Addressing the City Council: Members of the public shall have the opportunity to address the City Council on any items on the City Council agenda that are heard. Public comment will be taken first by those physically in City Council Chambers at the time the item is called. Any person wishing to address the Council ~~on a item before the Council~~ in-person should fill out a speaker slip~~, which shall include the name, address and issue being addressed,~~ and submit that slip to the Recording Secretary prior to that agenda item being announced by the presiding officer. Members of the public shall have the opportunity to participate remotely. Remote speakers should identify themselves per the instruction on the meeting agenda. Speakers may elect not to provide their true name or other personal information.

No person shall address the City Council without first being recognized by the presiding officer. Members of the public addressing the City Council shall have three minutes to speak~~. The Council may, by majority vote, alter this time limit.~~ on each item on the agenda and also during general public comment for items not on the agenda. Individuals wishing to comment on the Consent Calendar items will have one opportunity speak on the Consent Calendar as a whole; e.g. the items on the consent calendar shall be treated as a single item under these rules instead of as individual items. The Mayor or the Council, by majority vote, may alter these time limits.

Persons addressing the City Council on a specific agenda item shall confine their remarks to that agenda item. Any public requests for staff comment shall be made to the presiding officer~~,~~ who, in their discretion, may ~~then~~ direct such inquiries to the City Manager or City Attorney ~~as appropriate~~. Persons addressing the City Council shall not engage in disorderly conduct which disrupts, or otherwise impedes the orderly conduct ~~or~~of, Council meetings. Any person who so disrupts a Council meeting may, at the discretion of the presiding officer or a majority of the City Council, be subject to ejection from that meeting and/or muting in compliance with State Law and the City's policies.

C. Submission of Written Comments and Presentation Materials: Written comments, including emails, letters, and other written materials, may be submitted in advance of the meeting. The subject of each written comment should refer to an item listed on the agenda for a specific City Council meeting and submitted per the instructions on the agenda. In order to allow for the distribution and review of written materials before the meeting, written comments must be submitted electronically by 10:00 a.m. for regular meetings, or the time indicated on the agenda for special meetings. Written comments so provided will be distributed to the City Council and made available to the public.

Audiovisual presentation materials may be submitted for any item per the instructions on the agenda. Audiovisual presentation materials will not be accepted or displayed for public comment for items not on the agenda. Audiovisual presentation materials must be submitted by 10:00 a.m. for regular meetings, or the time indicated on the agenda for special meetings.

Members of the public wishing to distribute materials to the City Council after the deadlines set forth on the agenda may do so in person by providing eight (8) copies for all Councilmembers, the City Manager, the City Attorney, and the City Clerk.

Written comments and presentation materials for Public Hearings for Land Use Appeals/Applications follow the procedures and deadlines described in Section VIII(A).

V. Enforcement: Upon violation of these Rules, the presiding officer shall request that person violating these rules cease such conduct. If, after a warning from the presiding officer, the person persists in disrupting the meeting, the presiding officer ~~shall~~may order the person

to leave the City Council meeting and/or mute such person in compliance with State Law and the City's policies. If the person does not leave the meeting, the presiding officer may order any law enforcement officer on duty to act as Sargent-at-arms and remove the person from the City Council chambers. in compliance with State Law and the City's policies. Any person who resists removal by the Sargent-at-arms may be charged with a violation of these rules as well as any other applicable ordinance or law. If the presiding officer of the City Council fails to enforce these Rules, as a majority vote of the City Council may vote to designate another Councilmember to act as presiding officer andwho may then enforce these rules. If a meeting of the City Council is disturbeddisrupted in such a manner as to make infeasible the restoration of order, the presiding officer or a majority of the City Council may exercise the authority granted by California Government Code Section 54057.9 by orderingState Law and order the meeting room cleared and then continuing the meeting in such a manner as authorized by Section 54957.9State Law

VI. City Council Agendas.

A. The following format for regular City Council agendas is hereby adopted:

A. Format: The format of the City Council agendas shall be as follows, unless otherwise re-ordered by Council at a specific meeting.

A.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Closed Session Report
5. Report on Posting of the Agenda
6. Approval of the Agenda
7. Consent Calendar
8. Ceremonial/Presentation(s)
9. Commission/Committee/City Manager Updates
10. Written and Oral Communications from the Public (To be heard no sooner than 6:30 p.m.)
    i. General Public Comment – Matters not on the Agenda

11.ii. City Council Meeting Attendance Reports and Inquiries

12.11. Ordinances and Public Hearings

13.12. Old Business

14.13. New Business

15.14. Council Items

16.15. Adjournment

General Public Comment and City Council Reports and Meeting Attendance Reports shall be heard at 6:30 p.m., or as soon thereafter as possible once the current item under discussion is concluded. Any member of the public who wishes to comment on Ceremonial/Presentation matters shall do so during the time reserved for the Consent Calendar

Councilmember reports and inquiries will be limited to 10 minutes per Councilmember. This time is reserved for the Councilmembers to report on their activities, ask staff follow-up questions from public comment, make a brief comment regarding public comments received or request an item be added to a future agenda. Discussion and comments that are not brief are prohibited.

Ceremonial and Presentation items shall be limited to no more than three items at one meeting, and presentations should take no more than 10 minutes each, unless otherwise approved by the City Manager.

B. ~~The start time~~The schedule for regular City Council meetings is governed by Malibu Municipal Code Section 2.08.010. This section allows the meeting time to be changed by resolution of the City Council. The regular meeting time of the City Council is hereby adopted as follows:

~~A.~~1. Regular meetings of the City Council shall be held on the second and fourth Mondays of each month at ~~5~~4:30 p.m. Closed session may be held between ~~4~~3:30 p.m. and ~~5~~4:30 p.m. No closed session will be held during said hours unless the posted agenda of the regular meeting indicates that such sessions will take place; in the absence of such notification, the regular meeting shall commence at the hour of 4:30 p.m.

~~B.~~2. Prompt Call to Order at ~~5~~4:30 p.m. and adjournment by 10:30 p.m.

a. The City Council shall start their regular meetings promptly at ~~5~~4:30 p.m. The City Council shall not hear any new items of business after 10:30 p.m. unless two-thirds of City Councilmembers vote to do so.

C. ~~B.~~ Placement of Items on a City Council Meeting Agenda by a Councilmember: All items to be placed on a City Council meeting agenda must be submitted to the City Manager not later than twelve days preceding the City Council meeting. Individual City Councilmembers must submit a brief report to the Council explaining their item and supporting materials for the items by this deadline. To avoid overloading the staff or the Council agenda, individual Councilmembers should not submit more than one agenda item per Council meeting. ~~All such individual Councilmember agenda items shall be placed at the end of New Business.~~ The City Manager shall be responsible for scheduling all other agenda items submitted by City staff, consultants or recommendations from City Commissions, Boards or Committees unless otherwise specifically directed by a majority of the City Council at a public meeting. ~~Any detailed review of City Council goals/objectives or City departments, programs or services should take place at the City Councils's Quarterly Review Meetings.~~

VII. ~~–~~ Robert's Rules Of Order.

In all matters and things not otherwise provided for herein, the proceedings of the City Council shall be governed by "Robert's Rules Of Order, Newly Revised." as amended by State law. Councilmembers should familiarize themselves with rules concerning making main motions, making motions to amend, postpone (continue to date certain or indefinitely), table or refer to staff, subcommittee or another body, calling the previous question (to close debate) or recess (break), rising to points or order (procedure), personal privilege (too noisy, personal insult) or information and motions to reconsider a matter already decided by the Council, divide motion(s), ask for a roll call vote, suspend the rules, overrule the chair, move the agenda and adjourn. However, no action of the City Council shall be invalidated or the legality thereof affected by the failure or omission to observe or follow Robert's Rules of Order.

VIII. ~~–~~ Public Hearings ~~Required by Law~~.

A. Public Hearings for Land Use Appeals/Applications

At the start of each public hearing required by law, the presiding officer shall announce the item for the public hearing and then introduce the staff report. Following the staff report, the applicants, ~~appellant~~appellants, and/or their representatives shall speak first and have fifteen (15) minutes to do so, any portion of which may be used for rebuttal. ~~Each person addressing the City Council other than the applicant/appellant shall have three (3) minutes to speak. Any representative(s) or person(s) who is/are representing or speaking on behalf of the adopted position of a bonafide organization shall have five (5) minutes total to speak. The presiding officer may increase up to eight (8) minutes the time allotted to such representatives provided that all members of that organization in attendance agree to refrain speaking themselves on the matter.~~ When more than one separate appeal is filed, the applicant shall receive an additional 10 minutes, for each appeal, that may be allocated between their presentation and rebuttal. Following the initial presentations from the appellant and applicant, members of the public shall have the opportunity to address the City Council following the normal rules for public comment. Following all public testimony, the presiding officer shall recognize Councilmembers who have questions for any of the speakers, members of the public in attendance, chairpersons or a designated representative of city commissions, boards or committees, city staff or consultants. Following the conclusion of such questions, the

presiding officer shall allow the appellant and the applicant~~/appellant~~ their remaining time for rebuttal. Following the rebuttal, the presiding officer shall close the public hearing and then allow each Councilmember to state his/her opinion on the item before asking for a motion to decide the matter.

~~X.~~ Agenda reports for land use appeals/applications shall be posted thirty (30) days in advance of the hearing. Any written comments or audiovisual materials for the hearing from the applicants, appellants, and/or their representatives, including any that they intend to present at the hearing, must be submitted ten (10) business days in advance, as indicated on the agenda. Any written comments or audiovisual materials from members of the public, including any that they intend to present at the hearing, must be submitted three (3) business days in advance, as indicated on the agenda. These deadlines may be modified at the discretion of the City Manager and City Clerk. Modifications to the deadlines shall be indicated on the meeting agenda. No additional materials from any party or the public will be accepted after the deadlines indicated on the agenda.

B. Other Public Hearings Required by Law

Ordinances and other legislative actions which require noticed public hearings will be scheduled accordingly. When a matter for public hearing comes before the City Council, the presiding officer shall open the public hearing and follow the process as legally required.

IX. Suspension of the Rules.

Any provision of these Rules not already governed by the City ordinance or State Law may be suspended by majority vote of the City Council.

Malibu City Council
Regular Meeting Agenda

Monday, Month XX, 2026

4:30 P.M. – CITY COUNCIL REGULAR MEETING
City Hall – Council Chambers
23825 Stuart Ranch Road

Zoom Webinar Link:
https://us02web.zoom.us/j/XXXXXXXXXXX

GUIDE TO THE CITY COUNCIL PROCEEDINGS AND DECORUM

ROLE OF THE PRESIDING OFFICER: The presiding officer of the City Council, who shall be the Mayor, shall be responsible for maintaining the order and decorum of meetings. It shall be the duty of the presiding officer to ensure that these rules of procedure and decorum are followed at all times. The presiding officer shall maintain control of communication between Councilmembers, between the Council and the public, and chair each meeting in a fair and impartial manner. It shall be the duty of each Councilmember to support the presiding officer in maintaining the order and decorum of Council meetings.

On specific agenda items Councilmembers may question any person addressing the City Council at the conclusion of all public testimony on that agenda item before the Council. Councilmembers shall not engage any member of the public in a dialogue with themselves other Councilmembers, city staff or other members of the public.

MEMBERS OF THE AUDIENCE: Members of the audience shall not engage in disorderly or boisterous conduct, including clapping, whistling, stamping of feet, or other acts which disturb, disrupt, impede or otherwise disturb the orderly conduct of the City Council meeting. Persons addressing the City Council shall not engage in disorderly conduct which disrupts, or otherwise impedes the orderly conduct or Council meetings. Any person who so disrupts a Council meeting may, at the discretion of the presiding officer or a majority of the City Council, be subject to ejection from that meeting.

MEETING PARTICIPATION: Members of the public may participate in-person or remotely via Zoom Webinar. In order to participate remotely, you must be present in the Zoom Webinar during the item that you would like to speak on and use the Raise Hand feature to request to speak when the Mayor calls the item. When you join the Zoom Webinar you may see a pop-up asking you to enter an email address, but a valid email address is not required. To join by phone: Dial 1-669-900-6833 or 1-833-568-8864 (Toll Free) and enter Meeting ID: XXX XXX XXXX. To raise your hand via a phone-in please press *9 and unmute when the Clerk calls on you by pressing *6. If you are participating via the webinar platform, please press the raise your hand icon and the unmute button when prompted.

If you would like to speak in-person, you must complete and submit to the Recording Secretary a Request to Speak form at the meeting *prior* to the beginning of the item being announced by the Mayor.

Members of the public will have the opportunity to speak on items on the agenda and general public comment regarding matters which are not listed on the agenda, but are under the subject matter jurisdiction of the City

Council. No action may be taken on such items, except ask Staff a question or place an item on a future agenda, unless the Council, by a two-thirds vote, determines that there is a need to take immediate action and that need came to the attention of the City after the posting of the agenda. Although no action may be taken, the Council and staff will follow up, at an appropriate time, on those items needing response. Remote and in-person participants will have three (3) minutes to speak on each item on the agenda and general public comment. For items on the agenda, in-person participants may also surrender their time to speak on an item on the agenda by deferring one (1) minute to another speaker, not to exceed a total of eight (8) minutes. The speaker wishing to defer time must be present when the item is heard and their form must be submitted with the speaker form for the individual they are deferring time to. Speakers are taken in the order slips are submitted or hands are raised.

Members of the public are encouraged to submit email correspondence to citycouncil@malibucity.org. Written comments must be submitted electronically by 10:00 a.m. the day of the meeting. Correspondence received by this deadline will be distributed to the Councilmembers in advance of the meeting and included in the record. Please include the Agenda Item Number in the subject.

Requests to show an audio or video presentation for an item on the agenda during a Council meeting must be sent to citycouncil@malibucity.org by 10:00 a.m. the day of the meeting. Audio or video presentations will not be accepted for general public comment.

Members of the public wishing to distribute materials to the City Council after these deadlines may do so by providing eight (8) copies to the Recording Secretary at the meeting.

PUBLIC HEARINGS: For Public Hearings involving land use appeals/applications the appellant and applicant will be given 15 minutes each to present their position to the City Council, including rebuttal time. Following the initial presentations from the appellant and applicant and public testimony Councilmembers may address questions to any of the speakers, members of the public in attendance, chairpersons or a designated representative of city commissions, boards or committees, city staff or consultant. Following the question period, the appellant and applicant will have the opportunity to present rebuttal before the public hearing is closed.

Any written comments or audiovisual materials for the hearing from the applicants, appellants, and/or their representatives, including any that they intend to present at the hearing, must be submitted ten (10) business days in advance, by X:XX p.m. on Month XX, 2026. Any written comments or audiovisual materials from members of the public, including any that they intend to present at the hearing, must be submitted three (3) business days in advance, by X:XX p.m. on Month XX, 2026. No additional materials from any party or the public will be accepted after these deadlines. All materials should be emailed to citycouncil@malibucity.org.

VIEW THE MEETING: The meeting will be live streamed at www.malibucity.org/video, www.youtube.com/CityofMalibu, and via Zoom Webinar.

Four-thirty p.m. Regular Session

Call to Order - Mayor

Roll Call - Recording Secretary

Pledge of Allegiance

Report on Posting of Agenda

Approval of Agenda

1. Consent Calendar

Items in Consent Calendar Section A have already been considered by the Council at a previous meeting where the public was invited to comment, after which a decision was made. Resolutions concerning decisions made at previous meetings are for the purpose of memorializing the decision to assure the accuracy of the findings, the prior vote, and any conditions imposed. Items in Consent Calendar Section B have not been discussed previously by the Council. Members of the public may comment on the consent calendar as a whole. After public comment, the Council may remove items from the Consent Calendar for individual consideration before adopting the Consent Calendar.

A. Previously Discussed Items

None.

B. New Items

None.

2. Ceremonial/Presentations

None.

3. Commission / Committee / City Manager Updates

4. Written and Oral Communications from the Public (Hearing Time: 6:30 p.m.)

Oral communications shall be heard at 6:30 p.m., or as soon thereafter as possible once the current item under discussion is concluded. Councilmember meeting attendance reports and inquiries will be limited to 10 minutes per Councilmember to report on their activities and ask staff follow-up questions from public comment.

A. General Public Comment – Matters Not on the Agenda

B. City Council Subcommittee reports / Mayor and Councilmember meeting attendance reports and inquiries

5. Ordinances and Public Hearings

For Public Hearings involving zoning matters the appellant and applicant will be given 15 minutes each to present their position to the City Council, including rebuttal time.

None.

6. Old Business

Old Business items have appeared on previous agendas with no final action having been taken.

None.

7. New Business

New Business items are appearing for the first time for formal action.

None.

8. Council Items

City Council Items are items, which individual members of the City Council may bring up for action, to propose future agenda items or to suggest future staff assignments.

None.

Adjournment

Copies of the staff reports or other written documentation relating to each item of business described above are on file in the office of the City Clerk, Malibu City Hall, 23825 Stuart Ranch Road, Malibu, California, and are available for public inspection during regular office hours, which are 7:30 a.m. to 5:30 p.m. Monday through Thursday and 7:30 a.m. to 4:30 p.m. Friday. Written materials distributed to the City Council within 72 hours of the City Council meeting are available for public inspection immediately upon distribution in the City Clerk's office at 23825 Stuart Ranch Road, Malibu, California (Government Code Section 54957.5.b.2). Copies of staff reports and written materials may be purchased for $0.10 per page.

The City Hall phone number is (310) 456-2489. To contact City Hall using a telecommunication device for the deaf (TDD), please call (800) 735-2929 and a California Relay Service operator will assist you. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Community Development Director Yolanda Bundy, (310) 456-2489, ext. 229. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADD Title II].

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted in accordance with the applicable legal requirements. Regular and Adjourned Regular meeting agendas may be amended up to 72 hours in advance of the meeting. Dated this Xth day of Month 2025 at X:XX p.m.

_____

Kelsey Pettijohn, City Clerk

SB-707 Open meetings: meeting and teleconference requirements. (2025-2026)

SHARE THIS:

Date Published: 10/06/2025 02:00 PM

Senate Bill No. 707

CHAPTER 327

An act to amend Sections 54952.7, 54953, 54953.5, 54953.7, 54954.2, 54954.3, 54956, 54956.5, 54957.6, 54957.9, and 54957.95 of, to amend and repeal Section 54952.2 of, to add Sections 54953.8, 54953.8.1, 54953.8.2, and 54957.96 to, and to add and repeal Sections 54953.4, 54953.8.3, 54953.8.4, 54953.8.5, 54953.8.6, and 54953.8.7 of, the Government Code, relating to local government.

[Approved by Governor October 03, 2025. Filed with Secretary of State October 03, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

SB 707, Durazo. Open meetings: meeting and teleconference requirements.

(1) Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate.

This bill would, beginning July 1, 2026, and until January 1, 2030, require an eligible legislative body, as defined, to comply with additional meeting requirements, including that, except as specified, all open and public meetings include an opportunity for members of the public to attend via a 2-way telephonic service or a 2-way audiovisual platform, as defined, and that the eligible legislative body take specified actions to encourage residents to participate in public meetings, as specified. The bill would require an eligible legislative body, on or before July 1, 2026, to approve at a noticed public meeting in open session a policy regarding disruption of telephonic or internet services occurring during meetings subject to these provisions, as specified, and would require the eligible legislative body to comply with certain requirements relating to disruption, including for certain disruptions, recessing the open session for at least one hour and making a good faith attempt to restore the service, as specified.

(2) Existing law prohibits a majority of the members of a legislative body, outside a meeting authorized by the act, from using a series of communications of any kind to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body. Existing law defines "meetings" for these purposes to mean any congregation of a majority of the members of a legislative body at the same time and location, as specified, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body. Until January 1, 2026, existing law excepts from the prohibition a member engaging in separate conversations or communications outside of a meeting with any other person using an internet-based social media platform for specified purposes, provided, among other things, that a

majority of the members do not use the internet-based social media platform to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body.

This bill would make the above-described exception related to communications on an internet-based social media platform applicable indefinitely.

(3) Existing law requires a legislative body, prior to taking final action, to orally report a summary of a recommendation for a final action on specified forms of compensation for a local agency executive, as defined, during the open meeting in which the final action is to be taken.

This bill would also require the legislative body to make that oral report, as provided above, prior to taking final action on those specified forms of compensation for a department head or other similar administrative officer of the local agency.

(4) Existing law requires a legislative body of a local agency or its designee, at least 72 hours before a regular meeting, to post an agenda that meets specified requirements, including that the agenda contain a brief general description of each item of business to be transacted or discussed at the meeting, as specified.

This bill would, beginning July 1, 2026, and until July 1, 2030, require the agenda for each meeting of an eligible legislative body, as defined, to be translated into all applicable languages. The bill would define "applicable languages" to mean languages, according to data from the most recent American Community Survey, spoken jointly by 20% or more of the applicable population, as specified, provided that 20% or more of the population that speaks that language that in that city or county speaks English less than "very well," as specified, and except as provided.

Existing law requires every agenda for regular meetings to provide an opportunity for members of the public to directly address the legislative body on any item of interest of the public, as specified. Existing law specifies that the agenda is not required to provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee, as specified, except if the item has been substantially changed since the committee heard the item, as determined by the legislative body.

This bill would add certain exceptions to the provision related to an item that has already been considered by a committee, including excepting committees whose primary subject matter jurisdiction focuses on elections, budgets, police oversight, privacy, removing from, or restricting access to, materials available in public libraries, or taxes or related spending proposals, except as specified.

(5) Existing law authorizes a legislative body of a local agency to require a copy of the act to be given to each member of the legislative body and specified persons elected to serve as a member of the legislative body, and authorizes an elected legislative body member to require a copy to be given to each member of each legislative body all or a majority of whose members are appointed by or under the authority of the elected legislative body.

This bill would instead require a local agency to provide a copy of the act to any person elected or appointed to serve as a member of a legislative body of the local agency.

Existing law authorizes legislative bodies of local agencies to impose requirements upon themselves which allow greater access to their meetings than prescribed by the minimal standards set forth in the act, and authorizes an elected legislative body of a local agency to also impose those requirements on those appointed legislative bodies of the local agency of which all or a majority of the members are appointed by or under the authority of the elected legislative body.

This bill would remove the above-described requirement that members of an appointed legislative body of a local agency must be appointed by or under the authority of the elected legislative body of a local agency in order for the elected legislative body to impose the above-described requirements on the appointed legislative body.

(6) Existing law provides any person attending an open and public meeting of a legislative body of a local agency with the right to record the proceedings with an audio or visual recorder or a still or motion picture camera, as specified.

This bill would remove the reference to an audio or visual recorder or a still or motion picture camera for purposes of recording the proceedings, as described above.

(7) Existing law authorizes a legislative body of a local agency to use teleconferencing, as specified, and requires a legislative body of a local agency that elects to use teleconferencing to comply with specified general requirements, including that the local agency post agendas at all teleconference locations, identify each

teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as specified.

Existing law authorizes members who are outside the jurisdiction of a health authority, as defined, that conducts a teleconferencing meeting to, notwithstanding the above-described general teleconference provisions, count towards the establishment of a quorum when participating in the teleconference if, among other things, at least 50% of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction.

Existing law authorizes, in certain circumstances, the legislative body of a local agency to use specified alternative teleconferencing which include provisions related to, among others, notice of the means by which members of the public may access the meeting and offer public comment and identifying and including an opportunity for all persons to attend via a call-in option or an internet-based service option. Those circumstances in which the legislative body of a local agency is authorized to use the alternative teleconferencing provisions include specified circumstances relating to a state of emergency, as defined, and, until January 1, 2026, subject to specified limitations, a member's need to participate remotely due to just cause, defined to include, among other things, a need related to a physical or mental disability, or emergency circumstances, as defined, if certain quorum and disclosure requirements are met.

Existing law also authorizes certain eligible legislative bodies, including neighborhood councils and student body associations and student-run community college organizations to, until January 1, 2026, use alternate teleconferencing if, among other requirements, the city council or board of trustees, as applicable, has adopted an authorizing resolution and $^{2}/_{3}$ of the neighborhood city council or specified student organization, as applicable, votes to use alternate teleconference provisions, as specified.

This bill would revise and recast the above-specified teleconferencing and alternative teleconferencing provisions to uniformly apply certain noticing, disclosure, accessibility, and public commenting provisions. The bill would require a legislative body of a local agency that elects to use teleconferencing pursuant to these alternative teleconferencing provisions to comply with, in addition to any other applicable requirements under the act, specified requirements, including that the legislative body provides at least either 2-way audiovisual platform or 2-way telephonic service and a live webcasting of the meeting as a means by which the public may, among other things, remotely hear and visually observe the meeting, and that a member of the legislative body who participates in a teleconference meeting from a remote location pursuant to these alternative teleconferencing provisions and the specific provision of law that the member relied upon to permit their participation by teleconferencing are listed in the minutes of the meeting. The bill would require a local agency to identify and make available to legislative bodies a list of one or more meeting locations that may be available for use by the legislative bodies to conduct their meetings.

The bill would specify that nothing in the bill's provisions is to be construed to prohibit a member of a legislative body with a disability, as defined, from participating in any meeting of the legislative body by remote participation as a reasonable accommodation pursuant to any applicable law. The bill would apply certain provisions relative to, among other things, quorum establishment to that circumstance.

The bill would instead authorize a health authority, as defined, to conduct a teleconference meeting pursuant to the above-described alternative teleconferencing provisions.

The bill would revise and recast the alternative teleconferencing provisions applicable in a state of emergency, as defined. The bill would also include a local emergency, as defined, as a circumstance in which a legislative body of a local agency is authorized to use the alternative teleconferencing provisions.

The bill would revise and recast the alternative teleconferencing provisions applicable in cases of a member's need to participate remotely due to just cause or emergency circumstances, as defined, to remove the provision applicable to emergency circumstances, to revise related definitions, including broadening the definition of just cause to include, among other things, a physical or family medical emergency that prevents a member from attending in person, and to require the minutes for a meeting to identify the specific provision of law that each member relied upon to participate remotely, as specified. The bill would extend the authorization to use the alternative teleconferencing provision until January 1, 2030.

The bill would revise and recast the alternative teleconferencing provisions applicable to neighborhood councils and student body associations and student-run community college organizations. In regards to the alternative

teleconferencing provisions applicable to student body associations and student-run community college organizations, the bill would exempt the California Online Community College from specified requirements for an in-person quorum, a physical location for public participation, and certain accommodations under the authorization, and remove the ability for a person with a disability that requires certain accommodations to count towards the in-person quorum requirement. The bill would specify that the student body associations and student-run community college organizations described above are those in any community college recognized within the California Community Colleges system, and would extend the authorization to the Student Senate for California Community Colleges. The bill would extend the authorization to use the alternative teleconferencing provisions applicable to neighborhood councils and student body associations and student-run community college organizations until January 1, 2030.

The bill would, until January 1, 2030, also authorize a specified subsidiary body of local agencies to conduct a teleconference meeting pursuant to the above-described alternative teleconferencing provisions, provided that it complies with the requirements for alternative teleconferencing described above and additional requirements, including that the subsidiary body designates one physical meeting location within the boundaries of the legislative body that created the subsidiary body where members of the subsidiary body who are not participating remotely shall be present and members of the public may physically attend, observe, hear, and participate in the meeting, as specified.

The bill would, until January 1, 2030, also authorize specified multijurisdictional bodies of local agencies to conduct a teleconference meeting pursuant to the above-described alternative teleconferencing provisions, provided that it complies with the requirements for alternative teleconferencing described above and additional requirements, including that the eligible multijurisdictional body has adopted a resolution that authorizes the multijurisdictional body to use teleconferencing at a regular meeting in open session.

The bill would specify that these teleconferencing provisions are cumulative, and would authorize a legislative body to elect to use any teleconferencing provisions that are applicable to a meeting, regardless of whether any other teleconferencing provisions would also be applicable to that meeting.

Existing law defines "teleconference" for purposes of the authorization for a legislative body of a local agency to use teleconferencing to mean 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.

This bill would specify that "teleconference" does not include the attendance of one or more members of a legislative body in a meeting of the body solely by watching or listening via webcasting or any other similar electronic medium that does not permit members to interactively speak, discuss, or deliberate on matters.

(8) Existing law authorizes a special meeting to be called any time by, among other persons, the presiding officer of the legislative body of a local agency, by delivering specified written notices and posting a notice on the local agency's internet website, if the local agency has one. Existing law requires specified legislative bodies to comply with the internet website posting requirement.

The bill would remove the requirement that only specified legislative bodies comply with the internet website posting requirement, thereby imposing that requirement on all legislative bodies.

(9) Existing law authorizes a legislative body of a local agency to hold an emergency meeting without complying with specified notice and posting requirements in the case of emergency circumstances, as specified, and imposes various requirements under these provisions applicable to either legislative bodies generally or legislative bodies which are a school board.

This bill would remove the school board distinction from the above-described provisions, thereby imposing the same requirements to hold an emergency meeting on all legislative bodies of local agencies.

By imposing additional duties on legislative bodies of local agencies, the bill would impose a state-mandated local program.

(10) Existing law authorizes, in addition to other related specified authorizations, the presiding member of the legislative body conducting a meeting or their designee to remove, or cause the removal of, an individual for disrupting the meeting. Existing law defines "disrupting" for these purposes to mean engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting, as specified.

This bill would specify that a meeting for purposes of that provision includes any teleconferenced meeting. The bill would specify that the existing authority of a legislative body or its presiding officer to remove or limit participation by persons who engage in behavior that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting, as specified, applies to members of the public participating in a meeting via a 2-way telephonic service or a 2-way audiovisual platform, as those terms are defined.

(11) The bill would make other updates to references in the act.

(12) 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.

(13) 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.

(14) The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

(15) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 54952.2 of the Government Code, as amended by Section 1 of Chapter 89 of the Statutes of 2020, is amended to read:

54952.2. (a) As used in this chapter, "meeting" means any congregation of a majority of the members of a legislative body at the same time and location, including teleconference location as permitted by Section 54953, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body.

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

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

(3) (A) Paragraph (1) shall not be construed as preventing a member of the legislative body from engaging in separate conversations or communications on an internet-based social media platform to answer questions, provide information to the public, or to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the legislative body provided that a majority of the members of the legislative body do not use the internet-based social media platform to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body. A member of the legislative body shall not respond directly to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member of the legislative body.

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

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

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

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

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

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

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

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

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

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

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

SEC. 2. Section 54952.2 of the Government Code, as added by Section 2 of Chapter 89 of the Statutes of 2020, is repealed.

SEC. 3. Section 54952.7 of the Government Code is amended to read:

54952.7. A local agency shall provide a copy of this chapter to any person elected or appointed to serve as a member of a legislative body of the local agency.

SEC. 4. Section 54953 of the Government Code, as amended by Section 2 of Chapter 534 of the Statutes of 2023, 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. If the legislative body of a local agency elects to use teleconferencing, the legislative body of a local agency shall comply with all of the following:

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

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

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

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

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

(4) The teleconferencing requirements of this subdivision shall not apply to remote participation described in subdivision (c).

(c) (1) Nothing in this chapter shall be construed to prohibit a member of a legislative body with a disability from participating in any meeting of the legislative body by remote participation as a reasonable accommodation pursuant to any applicable law.

(2) A member of a legislative body participating in a meeting by remote participation pursuant to this subdivision shall do both of the following:

(A) The member shall participate through both audio and visual technology, except that any member with a disability, as defined in Section 12102 of Title 42 of the United States Code, may participate only through audio technology if a physical condition related to their disability results in a need to participate off camera.

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

(3) Remote participation under this subdivision shall be treated as in-person attendance at the physical meeting location for all purposes, including any requirement that a quorum of the legislative body participate from any particular location. The provisions of subdivision (b) and Sections 54953.8 to 54953.8.7, inclusive, shall not apply to remote participation under this subdivision.

(d) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) (A) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of either of the following during the open meeting in which the final action is to be taken:

(i) A local agency executive, as defined in subdivision (d) of Section 3511.1.

(ii) A department head or other similar administrative officer of the local agency.

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

process of developing the recommendation.

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

(1) "Disability" means a physical disability or a mental disability as those terms are defined in Section 12926 and used in Section 12926.1, or a disability as defined in Section 12102 of Title 42 of the United States Code.

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

(B) Notwithstanding subparagraph (A), "teleconference" does not include one or more members watching or listening to a meeting via webcasting or any other similar electronic medium that does not permit members to interactively speak, discuss, or deliberate on matters.

(3) "Remote participation" means participation in a meeting by teleconference at a location other than any physical meeting location designated in the notice of the meeting.

SEC. 5. Section 54953.4 is added to the Government Code, to read:

54953.4. (a) The Legislature finds and declares that public access, including through translation of agendas as required by this section, is necessary for an informed populace. The Legislature encourages local agencies to adopt public access requirements that exceed the requirements of this chapter by translating additional languages, employing human translators, and conducting additional outreach.

(b) (1) In addition to any other applicable requirements of this chapter, a meeting held by a eligible legislative body pursuant to this chapter shall comply with both of the following requirements:

(A) (i) (I) (ia) All open and public meetings shall include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform, except if adequate telephonic or internet service is not operational at the meeting location. If adequate telephonic or internet service is operational at the meeting location during only a portion of the meeting, the legislative body shall include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform during that portion of the meeting.

(ib) (Ia) On or before July 1, 2026, an eligible legislative body shall approve at a noticed public meeting in open session, not on the consent calendar, a policy regarding disruption of telephonic or internet service occurring during meetings subject to this sub-subclause. The policy shall address the procedures for recessing and reconvening a meeting in the event of disruption and the efforts that the eligible legislative body shall make to attempt to restore the service.

(Ib) If a disruption of telephonic or internet service that prevents members of the public from attending or observing the meeting via the two-way telephonic service or two-way audiovisual platform occurs during the meeting, the eligible legislative body shall recess the open session of the meeting for at least one hour and make a good faith attempt to restore the service. The eligible legislative body may meet in closed session during this period. The eligible legislative body shall not reconvene the open session of the meeting until at least one hour following the disruption, or until telephonic or internet service is restored, whichever is earlier.

(Ic) Upon reconvening the open session, if telephonic or internet service has not been restored, the eligible legislative body shall adopt a finding by rollcall vote that good faith efforts to restore the telephonic or internet service have been made in accordance with the policy adopted pursuant to sub-sub-subclause (Ia) and that the public interest in continuing the meeting outweighs the public interest in remote public access.

(II) Subclause (I) does not apply to a meeting that is held to do any of the following:

(ia) Attend a judicial or administrative proceeding to which the local agency is a party.

(ib) Inspect real or personal property provided that the topic of the meeting is limited to items directly related to the real or personal property.

(ic) Meet with elected or appointed officials of the United States or the State of California, solely to discuss a legislative or regulatory issue affecting the local agency and over which the federal or state officials have jurisdiction.

(id) Meet in or nearby a facility owned by the agency, provided that the topic of the meeting is limited to items directly related to the facility.

(ie) Meet in an emergency situation pursuant to Section 54956.5.

(ii) If an eligible legislative body elects to provide a two-way audiovisual platform, the eligible legislative body shall publicly post and provide a call-in option, and activate any automatic captioning function during the meeting if an automatic captioning function is included with the two-way audiovisual platform. If an eligible legislative body does not elect to provide a two-way audiovisual platform, the eligible legislative body shall provide a two-way telephonic service for the public to participate in the meeting, pursuant to subclause (I).

(B) (i) All open and public meetings for which attendance via a two-way telephonic service or a two-way audiovisual platform is provided in accordance with paragraph (1) shall provide the public with an opportunity to provide public comment in accordance with Section 54954.3 via the two-way telephonic or two-way audiovisual platform, and ensure the opportunity for the members of the public participating via a two-way telephonic or two-way audiovisual platform to provide public comment with the same time allotment as a person attending a meeting in person.

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

(i) Arranging space for one or more interpreters at the meeting location.

(ii) Allowing extra time during the meeting for interpretation to occur.

(iii) Ensuring participants may utilize their personal equipment or reasonably access facilities for participants to access commercially available interpretation services.

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

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

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

(A) Have in place a system for electronically accepting and fulfilling requests for meeting agendas and documents pursuant to Section 54954.1 through email or through an integrated agenda management platform. Information about how to make a request using this system shall be accessible through a prominent direct link posted on the primary internet website home page of the eligible legislative body.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) For an eligible legislative body that is a city council or county board of supervisors, the applicable population shall be the population of the city or county.

(ii) For an eligible legislative body of a special district, the applicable population shall be either of the following, at the discretion of the board of directors of the special district:

(I) The population of the county with the greatest population within the boundaries of the special district.

(II) The population of the service area of the special district, if the special district has the data to determine what languages spoken by the population within its service area meet the requirements of paragraph (A).

(C) If more than three languages meet the criteria set forth in subparagraph (A), "applicable languages" shall mean the three languages described in subparagraph (A) that are spoken by the largest percentage of the population.

(D) An eligible legislative body may elect to determine the applicable languages based upon a source other than the most recent American Community Survey if it makes a finding, based upon substantial evidence, that the other source provides equally or more reliable data for the territory over which the eligible legislative body exercises jurisdiction.

(2) "Eligible legislative body" means any of the following:

(A) A city council of a city with a population of 30,000 or more.

(B) A county board of supervisors of a county, or city and county, with a population of 30,000 or more.

(C) A city council of a city located in a county with a population of 600,000 or more.

(D) The board of directors of a special district that has an internet website and meets any of the following conditions:

(i) The boundaries of the special district include the entirety of a county with a population of 600,000 or more, and the special district has over 200 full-time equivalent employees.

(ii) The special district has over 1,000 full-time equivalent employees.

(iii) The special district has annual revenues, based on the most recent Financial Transaction Report data published by the California State Controller, that exceed four hundred million dollars ($400,000,000), adjusted annually for inflation commencing January 1, 2027, as measured by the percentage change in the California Consumer Price Index from January 1 of the prior year to January 1 of the current year, and the special district employs over 200 full-time equivalent employees.

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

(4) "Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.

(f) This section shall become operative on July 1, 2026.

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

SEC. 6. Section 54953.5 of the Government Code is amended to read:

54953.5. (a) Any person attending an open and public meeting of a legislative body of a local agency shall have the right to record the proceedings in the absence of a reasonable finding by the legislative body of the local agency that the recording cannot continue without noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the proceedings.

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

SEC. 7. Section 54953.7 of the Government Code is amended to read:

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

SEC. 8. Section 54953.8 is added to the Government Code, to read:

54953.8. (a) The legislative body of a local agency may use teleconferencing as authorized by subdivision (b) of Section 54953 without complying with the requirements of paragraph (3) of subdivision (b) of Section 54953 in any of the circumstances described in Sections 54953.8.1 to 54953.8.7, inclusive.

(b) A legislative body that holds a teleconference meeting pursuant to this section shall, in addition to any other applicable requirements of this chapter, comply with all of the following:

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

(A) A two-way audiovisual platform.

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

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

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

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

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

(6) (A) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to paragraph (5), to provide public comment until that timed public comment period has elapsed.

(B) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to paragraph (5), or otherwise be recognized for the purpose of providing public comment.

(C) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to paragraph (5), until the timed general public comment period has elapsed.

(7) Any member of the legislative body who participates in a teleconference meeting from a remote location pursuant to this section and the specific provision of law that the member relied upon to permit their participation by teleconferencing shall be listed in the minutes of the meeting.

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

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

(c) A local agency shall identify and make available to legislative bodies a list of one or more meeting locations that may be available for use by the legislative bodies to conduct their meetings.

(d) (1) Nothing in this section shall prohibit a legislative body from providing the public with additional teleconference locations.

(2) Nothing in this section shall prohibit a legislative body from providing the public with additional physical locations in which the public may observe and address the legislative body by electronic means.

(e) A member of a legislative body who participates in a teleconference meeting from a remote location pursuant to this section shall publicly disclose at the meeting before any action is taken whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with those individuals.

(f) The teleconferencing provisions described in Section 54953 and Sections 54953.8.1 to 54953.8.7, inclusive, are cumulative. A legislative body may elect to use any teleconferencing provisions that are applicable to a meeting, regardless of whether any other teleconferencing provisions would also be applicable to that meeting.

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

(1) "Remote location" means a location from which a member of a legislative body participates in a meeting pursuant to paragraph (7) of subdivision (b), other than any physical meeting location designated in the notice of the meeting. Remote locations need not be accessible to the public.

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

(3) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service. A two-way audiovisual platform may be structured to disable the use of video for the public participants.

(4) "Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.

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

SEC. 9. Section 54953.8.1 is added to the Government Code, to read:

54953.8.1. (a) A health authority may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section.

(b) Nothing in this section or Section 54953.8 shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority.

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

SEC. 10. Section 54953.8.2 is added to the Government Code, to read:

54953.8.2. (a) A legislative body of a local agency may conduct a teleconference meeting pursuant to Section 54953.8 during a proclaimed state of emergency or local emergency, provided that it complies with the requirements of that section and the teleconferencing is used in either of the following circumstances:

(1) For the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) After a determination described in paragraph (1) is made that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(b) If the state of emergency or local emergency remains active, in order to continue to teleconference pursuant to this section, the legislative body shall, no later than 45 days after teleconferencing for the first time pursuant to this section, and every 45 days thereafter, make the following findings by majority vote:

(1) The legislative body has reconsidered the circumstances of the state of emergency or local emergency.

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

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

(d) Notwithstanding paragraph (1) of subdivision (b) of Section 54953.8, a legislative body conducting a teleconference meeting pursuant to this section may elect to use a two-way telephonic service without a live webcasting of the meeting.

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

(1) "Local emergency" means a condition of extreme peril to persons or property proclaimed by the governing body of the local agency affected, in accordance with Section 8630 of the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2), as defined in Section 8680.9, or a local health emergency declared pursuant to Section 101080 of the Health and Safety Code. Local emergency, as used in this section, refers only to local emergencies in the boundaries of the territory over which the local agency exercises jurisdiction.

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

SEC. 11. Section 54953.8.3 is added to the Government Code, to read:

54953.8.3. (a) A legislative body of a local agency may conduct a teleconference meeting pursuant to Section 54953.8 if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda, which location shall be open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, provided that the legislative body complies with the requirements of Section 54953.8 and all of the following additional requirements:

(1) A member of the legislative body notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the given meeting.

(2) The member shall participate through both audio and visual technology.

(3) (A) The provisions of this subdivision shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for just cause for more than the following number of meetings, as applicable:

(i) Two meetings per year, if the legislative body regularly meets once per month or less.

(ii) Five meetings per year, if the legislative body regularly meets twice per month.

(iii) Seven meetings per year, if the legislative body regularly meets three or more times per month.

(B) For the purpose of counting meetings attended by teleconference under this paragraph, a "meeting" shall be defined as any number of meetings of the legislative body of a local agency that begin on the same calendar day.

(b) The minutes for the meeting shall identify the specific provision in subdivision (c) that each member relied upon to participate remotely. This subdivision shall not be construed to require the member to disclose any medical diagnosis or disability, or any personal medical information that is otherwise exempt under existing law, including, but not limited to, the Confidentiality of Medical Information Act (Chapter 1 (commencing with Section 56) of Part 2.6 of Division 1 of the Civil Code).

(c) For purposes of this section, "just cause" means any of the following:

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

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

(3) A need related to a physical or mental condition that is not subject to subdivision (c) of Section 54953.

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

(5) An immunocompromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner of the member that requires the member to participate remotely.

(6) A physical or family medical emergency that prevents a member from attending in person.

(7) Military service obligations that result in a member being unable to attend in person because they are serving under official written orders for active duty, drill, annual training, or any other duty required as a member of the California National Guard or a United States Military Reserve organization that requires the member to be at least 50 miles outside the boundaries of the local agency.

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

SEC. 12. Section 54953.8.4 is added to the Government Code, to read:

54953.8.4. (a) An eligible neighborhood council may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following have occurred:

(1) (A) The city council for a city described in paragraph (2) of subdivision (b) considers whether to adopt a resolution to authorize eligible neighborhood councils to use teleconferencing as described in this section at an open and regular meeting.

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

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

(2) After completing the requirements of subparagraph (A) of paragraph (1), an eligible neighborhood council that holds a meeting pursuant to this subdivision shall do all of the following:

(A) At least a quorum of the members of the eligible neighborhood council shall participate from locations within the boundaries of the city in which the eligible neighborhood council is established.

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

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

(4) If the meeting is outside regular business hours, the eligible neighborhood council shall make reasonable efforts to accommodate any member of the public that requests an accommodation to participate in the meeting.

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

(1) "Accommodation" means providing a publicly accessible physical location for the member of the public to participate from, providing access to technology necessary to participate in the meeting, or identifying locations or resources available that could provide the member of the public with an opportunity to participate in the meeting.

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

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

SEC. 13. Section 54953.8.5 is added to the Government Code, to read:

54953.8.5. (a) An eligible community college student organization may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:

(1) An eligible community college student organization may only use teleconferencing as described in Section 54953.8 after all the following have occurred:

(A) The board of trustees for a community college district considers whether to adopt a resolution to authorize eligible community college student organizations to use teleconferencing as described in this section at an open and regular meeting.

(B) If the board of trustees for a community college district adopts a resolution described in subparagraph (A), an eligible community college student organization may elect to use teleconferencing pursuant to this section if a majority of the eligible community college student organization votes to do so. The eligible community college student organization shall notify the board of trustees if it elects to use teleconferencing pursuant to this section and its justification for doing so.

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

(D) (i) Except as specified in clause (ii), at least a quorum of the members of the eligible community college student organization shall participate from a singular physical location that is accessible to the public and is within the community college district in which the eligible community college student organization is established.

(ii) The requirements described in clause (i) shall not apply to the California Online Community College.

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

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

(II) The person is incarcerated.

(III) The person is unable to disclose the location that they are participating from because of either of the following circumstances:

(ia) The person has been issued a protective court order, including, but not limited to, a domestic violence restraining order.

(ib) The person is participating in a program that has to remain confidential, including, but not limited to, an independent living program.

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

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

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

(ii) Except as specified in subparagraph (B), if the meeting is outside regular business hours, the eligible community college student organization shall make reasonable efforts to accommodate any member of

the public that requests an accommodation to participate in the meeting. For the purposes of this subparagraph, "accommodation" means providing a publicly accessible physical location for the member of the public to participate from, providing access to technology necessary to participate in the meeting, or identifying locations or resources available that could provide the member of the public with an opportunity to participate in the meeting.

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

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

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

SEC. 14. Section 54953.8.6 is added to the Government Code, to read:

54953.8.6. (a) An eligible subsidiary body may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:

(1) The eligible subsidiary body shall designate one physical meeting location within the boundaries of the legislative body that created the eligible subsidiary body where members of the subsidiary body who are not participating remotely shall be present and members of the public may physically attend, observe, hear, and participate in the meeting. At least one staff member of the eligible subsidiary body or the legislative body that created the eligible subsidiary body shall be present at the physical meeting location during the meeting. The eligible subsidiary body shall post the agenda at the physical meeting location, but need not post the agenda at a remote location.

(2) (A) A member of the eligible subsidiary body shall visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, except if the member has a physical or mental condition not subject to subdivision (c) of Section 54953 that results in a need to participate off camera.

(B) The visual appearance of a member of the eligible subsidiary body on camera may cease only when the appearance would be technologically infeasible, including, but not limited to, when the member experiences a lack of reliable broadband or internet connectivity that would be remedied by joining without video.

(C) If a member of the eligible subsidiary body does not appear on camera due to challenges with internet connectivity, the member shall announce the reason for their nonappearance prior to turning off their camera.

(3) An elected official serving as a member of an eligible subsidiary body in their official capacity shall not participate in a meeting of the eligible subsidiary body by teleconferencing pursuant to this section unless the use of teleconferencing complies with the requirements of paragraph (3) of subdivision (b) of Section 54953.

(4) (A) In order to use teleconferencing pursuant to this section, the legislative body that established the eligible subsidiary body by charter, ordinance, resolution, or other formal action shall make the following findings by majority vote before the eligible subsidiary body uses teleconferencing pursuant to this section for the first time, and every six months thereafter:

(i) The legislative body has considered the circumstances of the eligible subsidiary body.

(ii) Teleconference meetings of the eligible subsidiary body would enhance public access to meetings of the eligible subsidiary body, and the public has been made aware of the type of remote participation, including audio-visual or telephonic, that will be made available at a regularly scheduled meeting and has been provided the opportunity to comment at an in-person meeting of the legislative body authorizing the subsidiary body to meet entirely remotely.

(iii) Teleconference meetings of the eligible subsidiary body would promote the attraction, retention, and diversity of eligible subsidiary body members.

(B) (i) An eligible subsidiary body authorized to use teleconferencing pursuant to this section may request to present any recommendations it develops to the legislative body that created it.

(ii) Upon receiving a request described in clause (i), the legislative body that created the subsidiary body shall hold a discussion at a regular meeting held within 60 days after the legislative body receives the request, or if the legislative body does not have another regular meeting scheduled within 60 days after the legislative body receives the request, at the next regular meeting after the request is received.

(iii) The discussion required by clause (ii) shall not be placed on a consent calendar, but may be combined with the legislative body's subsequent consideration of the findings described in subparagraph (A) for the following 12 months.

(iv) The legislative body shall not take any action on any recommendations included in the report of a subsidiary body until the next regular meeting of the legislative body following the discussion described in clause (ii).

(C) After the legislative body makes the findings described in subparagraph (A), the eligible subsidiary body shall approve the use of teleconferencing by majority vote before using teleconference pursuant to this section.

(D) The legislative body that created the eligible subsidiary body may elect to prohibit the eligible subsidiary body from using teleconferencing pursuant to this section at any time.

(b) (1) For purposes of this section, "eligible subsidiary body" means a legislative body that meets all of the following:

(A) Is described in subdivision (b) of Section 54952.

(B) Serves exclusively in an advisory capacity.

(C) Is not authorized to take final action on legislation, regulations, contracts, licenses, permits, or any other entitlements, grants, or allocations of funds.

(D) Does not have primary subject matter jurisdiction, as defined by the charter, an ordinance, a resolution, or any formal action of the legislative body that created the subsidiary body, that focuses on elections, budgets, police oversight, privacy, removing from, or restricting access to, materials available in public libraries, or taxes or related spending proposals.

(2) An eligible subsidiary body may include members who are elected officials, members who are not elected officials, or any combination thereof.

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

SEC. 15. Section 54953.8.7 is added to the Government Code, to read:

54953.8.7. (a) An eligible multijurisdictional body may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:

(1) The eligible multijurisdictional body has adopted a resolution that authorizes the eligible multijurisdictional body to use teleconferencing pursuant to this section at a regular meeting in open session.

(2) At least a quorum of the members of the eligible multijurisdictional body shall participate from one or more physical locations that are open to the public and within the boundaries of the territory over which the local agency exercises jurisdiction.

(3) A member of the eligible multijurisdictional body who receives compensation for their service on the eligible multijurisdictional body shall participate from a physical location that is open to the public. For purposes of this paragraph, "compensation" does not include reimbursement for actual and necessary expenses.

(4) A member of the eligible multijurisdictional body may participate from a remote location provided that:

(A) The eligible multijurisdictional body identifies each member of the eligible multijurisdictional body who plans to participate remotely in the agenda.

(B) The member shall participate through both audio and visual technology.

(5) A member of the eligible multijurisdictional body shall not participate in a meeting remotely pursuant to this section, unless the location from which the member participates is more than 20 miles each way from any physical location of the meeting described in paragraph (2).

(6) The provisions of this section shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for more than the following number of meetings, as applicable:

(A) Two meetings per year, if the legislative body regularly meets once per month or less.

(B) Five meetings per year, if the legislative body regularly meets twice per month.

(C) Seven meetings per year, if the legislative body regularly meets three or more times per month.

(D) For the purpose of counting meetings attended by teleconference under this paragraph, a "meeting" shall be defined as any number of meetings of the legislative body of a local agency that begin on the same calendar day.

(b) For the purposes of this section, both of the following definitions apply:

(1) "Eligible multijurisdictional body" means a multijurisdictional board, commission, or advisory body of a multijurisdictional, cross-county agency, the membership of which board, commission, or advisory body is appointed, and the board, commission, or advisory body is otherwise subject to this chapter.

(2) "Multijurisdictional" means either of the following:

(A) A legislative body that includes representatives from more than one county, city, city and county, or special district.

(B) A legislative body of a joint powers entity formed pursuant to an agreement entered into in accordance with Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1.

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

SEC. 16. Section 54954.2 of the Government Code, as amended by Section 92 of Chapter 131 of the Statutes of 2023, is amended to read:

54954.2. (a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda that meets all of the following requirements:

(A) The agenda shall contain a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words.

(B) The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's internet website, if the local agency has one.

(C) (i) If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(ii) The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

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

(A) An online posting of an agenda shall be posted on the primary internet website home page of a city, county, city and county, special district, school district, or political subdivision established by the state that

is accessible through a prominent, direct link to the current agenda. The direct link to the agenda shall not be in a contextual menu; however, a link in addition to the direct link to the agenda may be accessible through a contextual menu.

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

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

(ii) Platform independent and machine readable.

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

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

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

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

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

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

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

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

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

(2) "Legislative body" means a legislative body that meets the definition of subdivision (a) of Section 54952.

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

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

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

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

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

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

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

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

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

SEC. 17. Section 54954.3 of the Government Code is amended to read:

54954.3. (a) (1) Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body, provided that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of Section 54954.2.

(2) (A) Notwithstanding paragraph (1), the agenda need not provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee, composed exclusively of members of the legislative body, at a public meeting wherein all interested members of the public were afforded the opportunity to address the committee on the item, before or during the committee's consideration of the item.

(B) Subparagraph (A) shall not apply if any of the following conditions are met:

(i) The item has been substantially changed since the committee heard the item, as determined by the legislative body.

(ii) When considering the item, a quorum of the committee members did not participate from a singular physical location, that was clearly identified on the agenda, open to the public, and situated within the boundaries of the territory over which the local agency exercises jurisdiction.

(iii) The committee has primary subject matter jurisdiction, as defined by the charter, an ordinance, a resolution, or any formal action of the legislative body that created the subsidiary body, that focuses on elections, budgets, police oversight, privacy, removing from, or restricting access to, materials available in public libraries, or taxes or related spending proposals. This clause shall not apply to an item if the local agency has adopted a law applicable to the meeting of the committee at which the item that was considered prohibits the committee from placing a limit on the total amount of time for public comment on the item.

(3) Every notice for a special meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of that item.

(b) (1) The legislative body of a local agency may adopt reasonable regulations to ensure that the intent of subdivision (a) is carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.

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

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

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

SEC. 18. Section 54956 of the Government Code is amended to read:

54956. (a) (1) A special meeting may be called at any time by the presiding officer of the legislative body of a local agency, or by a majority of the members of the legislative body, by delivering written notice to each member of the legislative body and to each local newspaper of general circulation and radio or television station requesting notice in writing and posting a notice on the local agency's internet website, if the local agency has one. The notice shall be delivered personally or by any other means and shall be received at least 24 hours before the time of the meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered at these meetings by the legislative body. The written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the clerk or secretary of the legislative body a written waiver of notice. The waiver may be given by telephone or electronic mail. The written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes.

(2) The call and notice shall be posted at least 24 hours prior to the special meeting in a location that is freely accessible to members of the public.

(b) Notwithstanding any other law, a legislative body shall not call a special meeting regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits, of the legislative body or of a local agency executive, as defined in subdivision (d) of Section 3511.1. However, this subdivision does not apply to a local agency calling a special meeting to discuss the local agency's budget.

SEC. 19. Section 54956.5 of the Government Code is amended to read:

54956.5. (a) For purposes of this section, "emergency situation" means both of the following:

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

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

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

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

(A) Except as provided in subparagraph (B), the notice required by this paragraph shall be given by telephone and all telephone numbers provided in the most recent request of a newspaper or station for notification of special meetings shall be exhausted. In the event that telephone services are not functioning, the notice requirements of this paragraph shall be deemed waived, and the legislative body, or designee of

the legislative body, shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.

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

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

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

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

SEC. 20. Section 54957.6 of the Government Code is amended to read:

54957.6. (a) Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation, subject to all of the following conditions:

(1) Prior to the closed session, the legislative body of the local agency shall hold an open and public session in which it identifies its designated representatives.

(2) The closed session shall be for the purpose of reviewing its position and instructing the local agency's designated representatives.

(3) The closed session may take place prior to and during consultations and discussions with representatives of employee organizations and unrepresented employees.

(4) Any closed session with the local agency's designated representative regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits may include discussion of an agency's available funds and funding priorities, but only insofar as these discussions relate to providing instructions to the local agency's designated representative.

(5) The closed session shall not include final action on the proposed compensation of one or more unrepresented employees.

(6) For the purposes enumerated in this section, a legislative body of a local agency may also meet with a state conciliator who has intervened in the proceedings.

(b) For the purposes of this section, the term "employee" shall include an officer or an independent contractor who functions as an officer or an employee, but shall not include any elected official, member of a legislative body, or other independent contractors.

SEC. 21. Section 54957.9 of the Government Code is amended to read:

54957.9. In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of the meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the legislative body conducting the meeting may order the

meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the legislative body from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

SEC. 22. Section 54957.95 of the Government Code is amended to read:

54957.95. (a) (1) In addition to authority exercised pursuant to Sections 54954.3 and 54957.9, the presiding member of the legislative body conducting a meeting or their designee may remove, or cause the removal of, an individual for disrupting the meeting, including any teleconferenced meeting.

(2) Prior to removing an individual, the presiding member or their designee shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding member or their designee may then remove the individual if they do not promptly cease their disruptive behavior. This paragraph does not apply to any behavior described in subparagraph (B) of paragraph (1) of subdivision (b).

(b) As used in this section:

(1) "Disrupting" means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, one of the following:

(A) A failure to comply with reasonable and lawful regulations adopted by a legislative body pursuant to Section 54954.3 or any other law.

(B) Engaging in behavior that constitutes use of force or a true threat of force.

(2) "True threat of force" means a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat.

SEC. 23. Section 54957.96 is added to the Government Code, to read:

54957.96. (a) The existing authority of a legislative body or its presiding officer to remove or limit participation by persons who engage in behavior that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting, including existing limitations upon that authority, shall apply to members of the public participating in a meeting via a two-way telephonic service or a two-way audiovisual platform.

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

(1) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service. A two-way audiovisual platform may be structured to disable the use of video for the public participants.

(2) "Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.

SEC. 24. The Legislature finds and declares that Section 4 of this act, which amends Section 54953 of, Section 5 of this act, which adds Section 54953.4 to, Sections 8 to 15, inclusive, of this act, which add Sections 54953.8 to 54953.8.7, respectively, to, Section 19 of this act, which amends Section 54956.5 of, Section 22 of this act, which amends Section 54957.95 of, and Section 23 of this act, which adds Section 54957.96 to, the Government Code, impose a limitation on 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:

(a) This act is necessary to provide opportunities for public participation in meetings of specified public agencies and to promote the recruitment and retention of members of those agencies.

(b) This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in meetings.

(c) This act is necessary to modernize the Ralph M. Brown Act to reflect recent technological changes that can promote greater public access to local officials.

(d) The exclusively virtual nature of the California Online Community College presents unique barriers to the requirements for an in-person quorum, a physical location for public participation, and certain accommodations. Participating students of the online community college come from all across the state and necessitating travel for these requirements would pose a significant and exclusionary barrier.

SEC. 25. The Legislature finds and declares that Sections 1 and 2 of this act, which amend and repeal Section 54952.2, respectively, of, Section 3 of this act, which amends Section 54952.7 of, Section 4 of this act, which amends Section 54953 of, Section 5 of this act, which adds Section 54953.4 to, Section 6 of this act, which amends Section 54953.5 of, Section 7 of this act, which amends Section 54953.7 of, Sections 8 to 15, inclusive, of this act, which add Sections 54953.8 to 54953.8.7, respectively, to, Section 16 of this act, which amends Section 54954.2 of, Section 17 of this act, which amends Section 54954.3 of, Section 18 of this act, which amends Section 54956 of, Section 19 of this act, which amends Section 54956.5 of, Section 20 of this act, which amends Section 54957.6 of, Section 21 of this act, which amends Section 54957.9 of, Section 22 of this act, which amends Section 54957.95 of, and Section 23 of this act, which adds Section 54957.96 to, 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:

(a) This act is necessary to provide opportunities for public participation in meetings of specified public agencies and to promote the recruitment and retention of members of those agencies.

(b) This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in meetings.

(c) This act is necessary to modernize the Ralph M. Brown Act to reflect recent technological changes that can promote greater public access to local officials.

(d) The exclusively virtual nature of the California Online Community College presents unique barriers to the requirements for an in-person quorum, a physical location for public participation, and certain accommodations. Participating students of the online community college come from all across the state and necessitating travel for these requirements would pose a significant and exclusionary barrier.

SEC. 26. The Legislature finds and declares that adequate public access to meetings is a matter of statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this bill would apply to all cities, including charter cities.

SEC. 27. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district under this act would result from a legislative mandate that is within the scope of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution.

City Council Meeting
08-25-25
Item 6.A.

Council Agenda Report

To: Mayor Riggins and the Honorable Members of the City Council

Prepared by: Kelsey Pettijohn, City Clerk

Reviewed by: Trevor Rusin, Interim City Attorney

Approved by: Candace Bond, Interim City Manager

Date prepared: June 27, 2025 Meeting date: August 25, 2025

Subject: City Council and Commission Meeting Format and Rules of Procedure and Decorum (Continued from August 11, 2025 Regular Meeting)

RECOMMENDED ACTION: 1) Discuss and provide direction to staff on the format of City Council meetings, including the regular meeting time and hybrid format; 2) Discuss and provide direction on Commission, Committee, and Board meetings, including staff resources for the recording of meetings.

FISCAL IMPACT: There is no fiscal impact associated with the recommended action. Depending on the direction from the Council there could be costs based on staffing or technological resources needed.

STRATEGIC PRIORITY: This item supports the Malibu Culture priority identified in the Adopted FY 2024-25 Strategic Priority Project List.

DISCUSSION: On March 27, 2023, the City Council launched the hybrid meeting pilot program and subsequently directed the Planning Commission to conduct its meetings in a hybrid format beginning July 17, 2023. These hybrid meetings were initially conducted pursuant to AB 361 and allowed members of the public and the City Council to participate in-person or remotely. Since AB 361's sunset on January 1, 2024, the Council has directed that City Council and commission meetings be held in person, but the City Council has continued to offer members of the public the opportunity to participate remotely in City Council and Planning Commission meetings. All other Commissions, Committees and Boards returned to in-person meetings after January 1, 2024.

At the October 9, 2023, Regular Meeting, the City Council directed staff to bring back options for conducting hybrid meetings that would allow, but reasonably limit, remote participation in certain circumstances. This item was delayed while the City Council considered and implemented other changes to its regular meeting format and time.

At the August 12, 2024 Regular Meeting, the City Council adopted Ordinance No. 521 allowing the start time of City Council meetings to be set by resolution and adopted Resolution No. 24-39, establishing the start time and format of regular meetings. The primary change was the creation of a 5:30 p.m. block where the City Council could consider the Consent Calendar, ceremonial and presentation items, and the City Manager report, before taking up the other scheduled business after 6:30 p.m.

Since that meeting, Councilmembers have expressed interest in considering changes to the hybrid meeting format, including requiring members of the public to sign up in advance to participate remotely and requiring remote participants to appear on camera. There have also been requests to discuss potentially filming all Commission, Committee, and Board meetings. Currently only the City Council and Planning Commission meetings are filmed.

After the implementation of the new format in October 2024, the City faced devastation from the Franklin Fire and Palisades Fire. Responding to emergencies and supporting disaster recovery is the highest priority of the City, and these efforts have only increased the workload for City Council meetings. It is even more important in these times to manage meetings effectively and promote public engagement in City business.

The changes approved in Resolution No. 24-39 have allowed ministerial and ceremonial items to be completed earlier in the evening, but most regular meetings still run late into the evening. Often new items are still being taken up after 10:30 p.m., when few residents are available to participate in a public meeting. There has been an increase in public participation in meetings since the fires, but this is primarily seen during public comment for items not on the agenda, with participation dropping off as the agendized items are taken up later in the evening. The public has the right to address the City Council regarding any subject matter within its jurisdiction at a regular meeting. However, public input on agendized items is especially important to support informed discussion and decision-making on scheduled items where action can be taken at that meeting.

Staff has prepared a proposal below to address the ongoing late meetings, promote public engagement on agendized items, and streamline remote participation. If the City Council would like to modify its meeting format, staff will bring back a resolution to modify the City Council Rules of Procedure and Decorum.

Staff Proposal

The proposal includes changes to:

- **Meeting Start Time** - move the meeting start time to 2:00 p.m.
- **Remote Participant Speaker Signups** - require remote participants to register and sign up to speak in advance of the meeting
- **General Public Comment** - move public comment for items not on the agenda to the end of the meeting and eliminate time deferrals
- **Materials from the Public** – set a deadline for correspondence from the public to be distributed to the Council and require presentation materials to be submitted in hard copy the day of the meeting
- **Scheduling Zoning Matters** – schedule appeals for special meetings

The City Council often has very full agendas and has historically had long meetings that cause important items to be considered very late in the evening. Moving the start time for regular meetings to 2:00 p.m. supports engagement in scheduled business during accessible daytime hours. If members of the public are not able to attend the meeting in-person during business hours, they will still have the opportunity to submit written comments in advance and participate remotely.

To better manage remote participation, speakers would be required to register using Zoom Webinar in advance of the meeting and select the items they wish to speak on. Staff will be able to compile a complete speaker list by the time the item is called by the Mayor and allow the Council to better manage the time allotted for public comment. Registration can also help minimize incidents of Zoom Bombing where groups of individuals intentionally disrupt public meetings by making disturbing and often hateful comments. Registration will limit participants to joining the meeting with the name they registered with, although their legal name is not required for registration. This would prevent individuals attempting to disrupt the meeting from leaving and rejoining with another name.

The Brown Act does not require the City to allow remote participation.[1] The City Council may choose to allow remote public participation when it is not required at in-person meetings.

The City has recently experienced significant technical difficulties with its aging audio and video systems in the Council Chambers. Although emergency repairs have been

[1] Only if a member of the City Council is attending the meeting under AB 2449's alternative teleconference option does the Brown Act require that the public also be allowed to participate remotely. AB 2449 allows Councilmembers to teleconference without publicly noticing their location in limited circumstances for "just cause" or "emergency circumstances." There are a number of onerous requirements for any meeting where AB 2449's provisions are used, including that in the event there is a disruption that interrupts the Council's broadcast to the public, or a disruption within the City's control preventing the public from offering public comment, the Council cannot take any further action until such service is restored.

completed, staff recommends continuing to inform the public that they are not guaranteed to be able to participate in that manner, especially given the recent technical issues.

Moving public comment to the end of the meeting allows residents the opportunity to raise new issues to the City Council in the evening. Since the City Council cannot take action on these items (other than scheduling them for a future meeting or asking a question to staff) or discuss them more than a brief comment, eliminating time deferrals keeps these comments limited to brief introductions and there is less need to provide speakers a long period of time to discuss the topic. If the City Council directs the issue to be scheduled on a future agenda, members of the public will have the opportunity to speak for three minutes and make more organized presentations with time deferrals at that time.

Currently members of the public submit materials for public meetings in the form of email correspondence, audio visual presentations, and hard copies at the meeting. To allow staff time to process correspondence and the City Council time to review the correspondence submitted in advance of the meeting, staff recommends setting a deadline for correspondence several hours before the meeting. To minimize the amount of media support needed for the meeting, staff recommends discontinuing accepting and displaying audio and visual presentations from the public. Presentation materials would still be accepted from the applicant and appellant in zoning matters. Members of the public can submit visual aids and other materials in hard copy.

To prioritize business that impacts the whole City at regular meetings and address the backlog of Planning permit appeals, staff recommends scheduling these hearings for special meetings. There are six appeals in the queue, some of which have been in the queue for over a year.

<u>Other Alternatives and Proposals</u>

- Requiring on camera participation from remote participants. There are logistical challenges to this proposal. Zoom webinar does not allow attendees to turn on their camera. Participants would first have to be promoted to panelist and then asked to unmute and turn on their camera. Although registration may help prevent Zoom bombings, Zoom bombing attempts can also include uncomfortable or disturbing images if participants are able to turn on their camera. There also could be problems forcing people to turn their camera on because of (1) technical inexperience or disability, (2) bandwidth issues, especially if someone cannot afford high speed internet access, and (3) the right to anonymous speech. While staff is aware of other jurisdictions that allow video on zoom calls, requiring video is not typical.

- Limit Public Hearings to in-person participation. The Planning Commission has suggested requiring applicants for development applications to appear in-person for public hearings. In order to offer a fair process, if applicants were required to

participate in-person, the Council should require all interested parties to attend the hearing in-person. This would require all of the applicant or appellant representatives and experts to travel to City Hall.

- Discontinue remote participation or continue to use the raise hand feature in Zoom for speaker signups

- Continue to meet in the current format or provide other direction to staff.

Commissions, Committees, and Boards

If the City Council makes significant changes to its meeting time or format, staff would bring back an item to Council to provide direction to the Planning Commission on its meeting time and format to keep consistency between the bodies.

Councilmembers have expressed interest in filming all Commission meetings. Commission meetings are not currently staffed with media or technical support and are held in less formal settings without the recording equipment available in the Council Chambers. The City Council can discuss this issue and provide further direction to staff on the format and resources for Commission meetings.

ATTACHMENTS:

1. Draft Agenda Format
2. Resolution No. 98-83 Rules of Procedure and Decorum
3. Resolution No. 24-39 Establishing the Start Time and Format for Regular City Council Meetings
4. Ordinance No. 521

Malibu City Council
Regular Meeting Agenda

Monday, Month XX, 2025

2:00 P.M. – CITY COUNCIL REGULAR MEETING
City Hall – Council Chambers
23825 Stuart Ranch Road

Zoom Webinar Registration Link:
https://us02web.zoom.us/j/XXXXXXXXXXX

GUIDE TO THE CITY COUNCIL PROCEEDINGS AND DECORUM

ROLE OF THE PRESIDING OFFICER: The presiding officer of the City Council, who shall be the Mayor, shall be responsible for maintaining the order and decorum of meetings. It shall be the duty of the presiding officer to ensure that these rules of procedure and decorum are followed at all times. The presiding officer shall maintain control of communication between Councilmembers, between the Council and the public, and chair each meeting in a fair and impartial manner. It shall be the duty of each Councilmember to support the presiding officer in maintaining the order and decorum of Council meetings.

On specific agenda items Councilmembers may question any person addressing the City Council at the conclusion of all public testimony on that agenda item before the Council. Councilmembers shall not engage any member of the public in a dialogue with themselves other Councilmembers, city staff or other members of the public.

MEMBERS OF THE AUDIENCE: Members of the audience shall not engage in disorderly or boisterous conduct, including clapping, whistling, stamping of feet, or other acts which disturb, disrupt, impede or otherwise disturb the orderly conduct of the City Council meeting. Persons addressing the City Council shall not engage in disorderly conduct which disrupts, or otherwise impedes the orderly conduct or Council meetings. Any person who so disrupts a Council meeting may, at the discretion of the presiding officer or a majority of the City Council, be subject to ejection from that meeting.

MEETING PARTICIPATION: Malibu City Council meetings are held in-person. Members of the public may participate in-person or remotely via Zoom Webinar. If you would like to speak remotely, you must register using the Zoom Webinar form by 10:00 a.m. the day of the meeting and sign up for the items you wish to speak on. It is strongly recommended that those who wish to participate do so in person as zoom participation is not guaranteed. While the City intends to allow zoom participation if possible, the meeting will not be cancelled or continued if technical difficulties impact the ability to accept public participation over Zoom. In such case only in-person participation will be allowed.

If you would like to speak in-person, you must complete and submit to the Recording Secretary a Request to Speak form at the meeting *prior* to the beginning of the item being announced by the Mayor.

Remote and in-person participants will have three (3) minutes to speak on each item on the agenda and general public comment. For items on the agenda, in-person participants may also surrender their time to speak on an item on the agenda by deferring one (1) minute to another in-person speaker, not to exceed a total of eight (8)

minutes. The speaker wishing to defer time must be present when the item is heard and their form must be submitted with the speaker form for the individual they are deferring time to. Speakers are taken in the order slips are submitted or registration is received.

Members of the public are encouraged to submit email correspondence to citycouncil@malibucity.org by 8:00 a.m. the day of the meeting. Correspondence received by this deadline will be distributed to the Councilmembers in advance of the meeting and included in the record. Members of the public wishing to distribute materials to the City Council after this deadline may do so by providing eight (8) copies to the Recording Secretary at the meeting. Audio and visual presentations will only be displayed during the meeting for applicants and appellants during Public Hearings involving zoning matters.

VIEW THE MEETING: The meeting will be live streamed at www.malibucity.org/video, www.youtube.com/CityofMalibu, and via Zoom Webinar.

Two p.m. Regular Session

Call to Order - Mayor

Roll Call - Recording Secretary

Pledge of Allegiance

Report on Posting of Agenda

Approval of Agenda

1. Consent Calendar

Items in Consent Calendar Section A have already been considered by the Council at a previous meeting where the public was invited to comment, after which a decision was made. Resolutions concerning decisions made at previous meetings are for the purpose of memorializing the decision to assure the accuracy of the findings, the prior vote, and any conditions imposed. Items in Consent Calendar Section B have not been discussed previously by the Council. Members of the public may comment on the consent calendar as a whole. After public comment, the Council may remove items from the Consent Calendar for individual consideration before adopting the Consent Calendar.

A. Previously Discussed Items

None.

B. New Items

None.

2. Ceremonial/Presentations

None.

3. Ordinances and Public Hearings

For Public Hearings involving zoning matters the appellant and applicant will be given 15 minutes each to present their position to the City Council, including rebuttal time.

None.

4. Old Business

Old Business items have appeared on previous agendas with no final action having been taken.

None.

5. New Business

New Business items are appearing for the first time for formal action.

None.

6. Council Items

City Council Items are items, which individual members of the City Council may bring up for action, to propose future agenda items or to suggest future staff assignments.

None.

7. Written and Oral Communications from the Public

The Oral Communication portion of the agenda is for members of the public to present items, which are not listed on the agenda but are under the subject matter jurisdiction of the City Council. No action may be taken under, except to direct staff, unless the Council, by a two-thirds vote, determines that there is a need to take immediate action and that need came to the attention of the City after the posting of the agenda. Although no action may be taken, the Council and staff will follow up, at an appropriate time, on those items needing response.

A. Communications from the Public concerning matters which are not on the agenda but for which the City Council has subject matter jurisdiction. City Council may not act on these matters except to refer the matters to staff or schedule the matters for a future agenda.

B. Commission / Committee / City Manager Updates

C. City Council Subcommittee reports / Mayor and Councilmember meeting attendance, reports and inquiries

Adjournment

Future Regular Meetings

Monday, Month XX, 2025	2:00 p.m.	Regular City Council Meeting	City Hall Council Chambers
Monday, Month XX, 2025	2:00 p.m.	Regular City Council Meeting	City Hall Council Chambers
Monday, Month XX, 2025	2:00 p.m.	Regular City Council Meeting	City Hall Council Chambers

Copies of the staff reports or other written documentation relating to each item of business described above are on file in the office of the City Clerk, Malibu City Hall, 23825 Stuart Ranch Road, Malibu, California, and are available for public inspection during regular office hours, which are 7:30 a.m. to 5:30 p.m. Monday through Thursday and 7:30 a.m. to 4:30 p.m. Friday. Written materials distributed to the City Council within 72 hours of the City Council meeting are available for public inspection immediately upon distribution in the City Clerk's office at 23825 Stuart Ranch Road, Malibu, California (Government Code Section 54957.5.b.2). Copies of staff reports and written materials may be purchased for $0.10 per page.

The City Hall phone number is (310) 456-2489. To contact City Hall using a telecommunication device for the deaf (TDD), please call (800) 735-2929 and a California Relay Service operator will assist you. In compliance

with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Community Development Director Yolanda Bundy, (310) 456-2489, ext. 229. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADD Title II].

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted in accordance with the applicable legal requirements. Regular and Adjourned Regular meeting agendas may be amended up to 72 hours in advance of the meeting. Dated this Xth day of Month 2025 at X:XX p.m.

Kelsey Pettijohn, City Clerk

repealing 91-24
amended by 99-07

RESOLUTION 98-083

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU ESTABLISHING RULES OF PROCEDURE AND DECORUM FOR THE CONDUCT OF CITY COUNCIL MEETINGS AND REPEALING RESOLUTION 91-24

THE CITY COUNCIL OF THE CITY OF MALIBU HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The following rules of procedure and decorum are hereby adopted.

I. Rules for City Councilmembers.

A. Decorum: Members of the City Council shall conduct themselves in an orderly and businesslike manner to ensure that the business of the City shall be attended to efficiently and throughly and to ensure that the integrity of the deliberative process of the City Council is maintained at all times. Members of the City Council shall maintain a polite respectful and courteous manner when addressing one another, the City staff and members of the public during Council meetings.

B. Role of the Presiding Officer: The presiding officer of the City Council. who shall be the Mayor, or in the Mayor's absence the Mayor Pro Tempore, or in the absence of both the Mayor and Mayor Pro Tempore the remaining longest-serving member of the Council shall be responsible for maintaining the order and decorum of meetings. It shall be the duty of the presiding officer to ensure that these rules of procedure and decorum are followed at all times. The presiding officer shall maintain control of communication between Council Members, between the Council and the public and chair each meeting in a fair and impartial manner. It shall be the duty of each Councilmember to support the presiding officer in maintaining the order and decorum of Council meetings.

C. Communication between City Councilmembers: Councilmembers should request the floor of the presiding officer before speaking. Councilmembers shall speak in turn and no Councilmember shall speak again until all Councilmembers shall have had the opportunity to speak. Councilmembers shall remember that the purpose of the City Council meeting is to conduct the business of the City. Councilmembers shall avoid repetition and shall endeavor to limit their comments to the subject matter at hand. Councilmembers should endeavor to express their views without engaging in lengthy debates. When one Councilmember is speaking other Councilmembers shall not interrupt or disturb the speaker. During questions and deliberations the presiding officer shall vary the speaking sequence of Councilmembers from item to item.

D. Communication with the Public Addressing the City Council: On specific agenda items Councilmembers may question any person addressing the City Council at the conclusion of all public testimony on that agenda item before the Council. Councilmembers shall not engage any member of the public in a dialogue with themselves other City Councilmembers, city staff or other members of the public. All requests to speak shall be made to the presiding officer. If a member of the public addresses the Council on a matter not on the meeting's agenda (during

public comment) Councilmembers shall refrain from a discussion of the matter. Public comments requesting specific Council discussion and/or action shall be summarized by the presiding officer following all public comments. Such matters may, at the direction of a majority of the City Council, be placed on a future agenda for discussion and/or action.

II. Rules for City staff.

A. Decorum: City staff shall not engage in dialogue with members of the public during Council meetings. When addressed by a City Councilmember the staff shall respond in a polite, respectful and courteous manner. All requests to speak shall be made to the presiding officer.

B. Role of the City Manager: The City Manager's duties during City Council meetings shall include keeping a record of actions requested by the City Council that require staff work.

III. Rules for Members of City Commissions, Boards and Committees.

A. Decorum: Members of City Commissions, Boards and Committees, when addressed by a City Councilmember, shall respond in a polite, respectful and courteous manner.

B. Role: Each Commission, Board or Committee shall send their Chairperson or other designated member to address the Council on any factual inquiries on recommendations made by their Commission, Board or Committee. Chairpersons or designated members should answer such Council questions promptly and specifically.

IV. Rules for the Public.

A. Members of the Audience: Members of the audience shall not engage in disorderly or boisterous conduct, including clapping, whistling, stamping of feet, or other acts which disturb, disrupt, impede or otherwise disturb the orderly conduct of the City Council meeting.

B. Persons Addressing the City Council: Any person wishing to address the Council on a item before the Council should fill out a speaker slip, which shall include the name, address and issue being addressed, and submit that slip to the Recording Secretary prior to that agenda item being announced by the presiding officer. No person shall address the City Council without first being recognized by the presiding officer. Members of the public addressing the City Council shall have three minutes to speak. The Council may, by majority vote, alter this time limit. Persons addressing the City Council on a specific agenda item shall confine their remarks to that agenda item. Any public requests for staff comment shall be made to the presiding officer, who may then direct such inquiries to the City Manager or City Attorney as appropriate. Persons addressing the City Council shall not engage in disorderly conduct which disrupts, or otherwise impedes the orderly conduct or Council meetings. Any person who so disrupts a Council meeting may, at the discretion of the presiding officer or a majority of the City Council, be subject to ejection from that meeting.

V. Enforcement: Upon violation of these Rules, the presiding officer shall request that person violating these rules cease such conduct. If, after a warning from the presiding officer, the person persists in disrupting the meeting, the presiding officer shall order the person to leave the City Council meeting. If the person does not leave the meeting, the presiding officer may order any law enforcement officer on duty to act as Sargent-at-arms and remove the person from the City Council chambers. Any person who resists removal by the Sargent-at-arms may be charged with a violation of these rules as well as any other applicable ordinance or law. If the presiding officer of the City Council fails to enforce these Rules, as a majority vote of the City Council may designate another Councilmember to act as presiding officer and enforce these rules. If a meeting of the City Council is disturbed in such a manner as to make infeasible the restoration of order, the presiding officer or a majority of the City Council may exercise the authority granted by California Government Code Section 54057.9 by ordering the meeting room cleared and continuing in such a manner as authorized by Section 54957.9

VI. City Council Agendas.

A. Format: The format of the City Council agendas shall be as follows, unless otherwise re-ordered by Council at a specific meeting.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Agenda
5. Closed Session Report
6. Report on Posting of the Agenda
7. Ceremonial Presentations
8. Written and Oral Comments from the Public
9. City Council Subcommittee Reports
10. Mayor and City Councilmember Reports and inquiries
11. Consent Calendar
12. Ordinances and Public Hearings
13. Old Business (Continued, Postponed or left-over item from Prior Meetings)
14. New Business (New items from Councilmembers, Staff, Consultants or Commissions, Boards, or Advisory Committees)
15. Adjournment

B. Placement of Items on a City Council Meeting Agenda: All items to be placed on a City Council meeting agenda must be submitted to the City Manager not later than twelve days preceding the City Council meeting. Individual City Councilmembers must submit a brief report to the Council explaining their item and supporting materials for the items by this deadline. To avoid overloading the staff or the Council agenda, individual Councilmembers should not submit more than one agenda item per Council meeting. All such individual Councilmember agenda items shall be placed at the end of New Business. The City Manager shall be responsible for scheduling all other agenda items submitted by City staff, consultants or recommendations from

City Commissions, Boards or Committees unless otherwise specifically directed by a majority of the City Council at a public meeting. Any detailed review of City Council goals/objectives or City departments, programs or services should take place at the City Councils's Quarterly Review Meetings.

VII. Robert's Rules Of Order.

In all matters and things not otherwise provided for herein, the proceedings of the City Council shall be governed by "Robert's Rules Of Order, Newly Revised." as amended by State law. Councilmembers should familiarize themselves with rules concerning making main motions, making motions to amend, postpone (continue to date certain or indefinitely), table or refer to staff, subcommittee or another body, calling the previous question (to close debate) or recess (break), rising to points or order (procedure), personal privilege (too noisy, personal insult) or information and motions to reconsider a matter already decided by the Council, divide motion(s), ask for a roll call vote, suspend the rules, overrule the chair, move the agenda and adjourn. However, no action of the City Council shall be invalidated or the legality thereof affected by the failure or omission to observe or follow Robert's Rules of Order.

VIII. Public Hearings Required by Law.

At the start of each public hearing required by law, the presiding officer shall announce the item for the public hearing and then introduce the staff report. Following the staff report, the applicants, appellant, and/or their representatives shall speak first and have fifteen (15) minutes to do so, any portion of which may be used for rebuttal. Each person addressing the City Council other than the applicant/appellant shall have three (3) minutes to speak. Any representative(s) or person(s) who is/are representing or speaking on behalf of the adopted position of a bonafide organization shall have five (5) minutes total to speak. The presiding officer may increase up to eight (8) minutes the time allotted to such representatives provided that all members of that organization in attendance agree to refrain speaking themselves on the matter. Following all public testimony, the presiding officer shall recognize Councilmembers who have questions for any of the speakers, members of the public in attendance, chairpersons or a designated representative of city commissions, boards or committees, city staff or consultants. Following the conclusion of such questions, the presiding officer shall allow the applicant/appellant their remaining time for rebuttal. Following the rebuttal, the presiding officer shall close the public hearing and then allow each Councilmember to state his/her opinion on the item before asking for a motion to decide the matter.

IX. Prompt Call to Order at 6:30 p.m. and adjournment by 11 p.m.

The City Council shall start their regular meetings promptly at 6:30 p.m.. The City Council shall not hear any new items of business after 11 p.m. unless a majority of City Councilmembers vote to suspend the rules to do so.

X. Suspension of the Rules.

Any provision of these Rules not already governed by the City ordinance or State Law may be suspended by majority vote of the City Council.

SECTION 2. Resolution 91-24 is hereby repealed in its entirety.

SECTION 3. The City Clerk shall certify passage of this Resolution.

PASSED, APPROVED AND ADOPTED this 9th day of November, 1998.

Joan House

Joan House, Mayor

ATTEST:

Virginia Bloom

Virginia Bloom, Deputy City Clerk

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 98-083 was passed and adopted by the City Council of the City of Malibu at the regular meeting held on the 9th day of November, 1998, by the following vote:

AYES:	4	Councilmembers Van Horn, Hasse, Barovsky, and Mayor House
NOES:	1	Mayor Pro Tem Keller
ABSENT:	0	
ABSTAIN:	0	

Virginia Bloom

Virginia Bloom, Deputy City Clerk (seal)

RESOLUTION NO. 24-39

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU SUPERSEDING AND REPLACING RESOLUTION NO. 99-007 AND SECTION 1(VI)(A) OF RESOLUTION NO. 98-083 AND ESTABLISHING THE START TIME AND FORMAT FOR REGULAR CITY COUNCIL MEETINGS

The City Council of the City of Malibu does hereby find, order, and resolve as follows:

SECTION 1. This resolution supersedes and replaces Resolution No. 99-007 and Section (VI)(A) of Resolution 98-083.

The following format for regular City Council agendas is hereby adopted:

A. Format: The format of the City Council agendas shall be as follows unless otherwise re-ordered by Council at a specific meeting.
   1. Call to Order
   2. Roll Call
   3. Pledge of Allegiance
   4. Closed Session Report
   5. Report on Posting of the Agenda
   6. Approval of the Agenda
   7. Consent Calendar
   8. Presentation(s)
   9. Commission/Committee/City Manager Updates
   10. Written and Oral Communications from the Public
   11. City Council Reports
   12. Ordinances and Public Hearings
   13. Old Business
   14. New Business
   15. Council Items
   16. Adjournment

SECTION 2.

The start time for regular City Council meetings is governed by Malibu Municipal Code Section 2.08.010. This section allows the meeting time to be changed by resolution of the City Council. The regular meeting time of the City Council is hereby adopted as follows:

A. Regular meetings of the City Council shall be held on the second and fourth Mondays of each month at 5:30 p.m. Closed session may be held between 4:30 p.m. and 5:30 p.m. No closed session will be held during said hours unless the posted agenda of the regular meeting indicates that such sessions will take place; in the absence of such notification, the regular meeting shall commence at the hour of five-thirty p.m.

B. Prompt Call to Order at 5:30 p.m. and adjournment by 10:30 p.m.

a. The City Council shall start their regular meetings promptly at 5:30 p.m. The City Council shall not hear any new items of business after 10:30 p.m. unless two-thirds of City Councilmembers vote to do so.

SECTION 3. This resolution shall take effect October 1, 2024.

SECTION 4. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, and ADOPTED this 12th day of August 2024.

DOUG STEWART, Mayor

ATTEST:

KELSEY PETTIJOHN, City Clerk
(seal)

APPROVED AS TO FORM:

TREVOR RUSIN, Interim City Attorney

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 24-39 was passed and adopted by the City Council of the City of Malibu at the Regular meeting thereof held on the 12th day of August 2024 by the following vote:

AYES:	4	Councilmembers:	Grisanti, Silverstein, Riggins, Stewart
NOES:	1	Councilmembers:	Uhring
ABSTAIN:	0		
ABSENT:	0		

KELSEY PETTIJOHN, City Clerk
(seal)

ORDINANCE NO. 521

AN ORDINANCE OF THE CITY OF MALIBU AMENDING MALIBU MUNICIPAL CODE SECTION 2.08.010 AND DETERMINING THE START TIME OF REGULAR CITY COUNCIL MEETINGS SHALL BE SET BY RESOLUTION

The City Council of the City of Malibu does ordain as follows:

SECTION 1. Amendments

A. Section 2.08.010 of the Malibu Municipal Code is amended to read as follows:

"Regular meetings of the Malibu City Council shall be held on the second and fourth Mondays of each month, or, if any such day is on a holiday, then the meeting scheduled on such day shall be held in the council chambers on the next succeeding day which is not a holiday. The regular meeting times of the Malibu City Council shall be set by resolution of the City Council."

SECTION 2. The City Clerk shall certify the adoption of this ordinance.

PASSED, APPROVED AND ADOPTED this 26th day of August 2024.

DOUG STEWART, Mayor

ATTEST:

KELSEY PETTIJOHN, City Clerk
(seal)

Date: 8/26/24

APPROVED AS TO FORM:

TREVOR RUSIN, Interim City Attorney

I CERTIFY THAT THE FOREGOING ORDINANCE NO. 521 was passed and adopted at the Regular City Council meeting of August 26, 2024, by the following vote:

AYES:	5	Councilmembers:	Grisanti, Silverstein, Uhring, Riggins, Stewart
NOES:	0		
ABSTAIN:	0		
ABSENT:	0		

KELSEY PETTIJOHN, City Clerk
(seal)