



MEMORANDUM

TO: Water Resources Committee and Alternates, Board of Directors and Alternates

FROM: Scott Petersen, Water Policy Director

DATE: February 3, 2025

RE: Water Resources Committee to Consider Recommendations on Legislation /
Board of Directors to Consider Same

Recommendation

Recommend to the Board of Directors to adopt the following positions on legislation:

Support

Federal Legislation

- Adopt a position of "Support" on H.R. 337 (Costa), Groundwater Recharge Technical Assistance Act
- Adopt a position of "Support" on H.R. 338 (Costa), Every Drop Counts Act

State Legislation

- Adopt a position of "Support" and "Sponsor" on Draft Legislation related to State Route 152 funding
- Adopt a position of "Support" on A.B. 259 (Rubio): Open meetings: local agencies: teleconferences.

Federal Legislation

H.R. 337 (Costa), Groundwater Recharge Technical Assistance Act

RECOMMENDATION: SUPPORT

OBJECTIVE: Improve Water Infrastructure Affecting Authority Member Agencies

Overview

Background

Sec. 40910 of the Bipartisan Infrastructure Law authorized the Bureau of Reclamation to provide technical or financial assistance for groundwater recharge projects. This included aquifer storage and recovery



projects, or water source substitution for aquifer protection projects. The Bureau has been exploring a means to use this authority but has not due to a lack of funds.

Summary

This bill, introduced by Rep. Jim Costa (D-CA-21), provides \$3 million in annual funding from FY2026 – 2031 for technical and financial assistance for aquifer storage, recovery, and water source substitution for aquifer protection projects. The bill provides the Secretary of the Interior with the flexibility to use these additional funds for groundwater recharge efforts by utilizing a transfer authority of unobligated funds under the Infrastructure Investment and Jobs Act (IIJA) Western Water funding (Section 40901).

Status

H.R. 337 was introduced on January 13, 2025 and has been referred to the House Committee on Natural Resources.

Current Cosponsors

David Valadao (R-CA-22), Adam Gray (D-CA-13), Josh Harder (D-CA-09), Zoe Lofgren (D-CA-18), Mike Thompson (D-CA-04)

Importance to the Authority

Groundwater recharge projects are increasingly important for water storage and multi-year water management in light of the implementation of California’s Sustainable Groundwater Management Act. The Bureau of Reclamation has begun to undertake recharge efforts throughout California and the Western United States.

By funding a provision in the IIJA that has never had funding authorized, the Bureau will be better equipped to provide more adequate funds in preparation for continued extreme weather and drought.

[H.R. 338 \(Costa\), Every Drop Counts Act](#)

RECOMMENDATION: SUPPORT

OBJECTIVE: Improve Water Infrastructure Affecting Authority Member Agencies

Overview

Background

Sec. 40903 of the Bipartisan Infrastructure Law outlined criteria for groundwater and surface water projects to be eligible for the Small Storage Program. Sec. 40903 imposed a cap of 30,000 acre-feet on surface water and groundwater storage projects that are eligible for the Small Storage Program. The Small Storage Program has led to increased investment in creating sustainable water resources, however, the eligibility criteria has limited groundwater recharge projects.

Notably, the Kern Fan Project has faced issues with the Bureau of Reclamation that they are unable to recharge more than 30,000 acre-feet of water, despite having the capacity to do up to 150,000 acre-feet. This is because the Bureau has been interpreting the current statute to limit recharge efforts in line with surface water limits. The authorizing statute limits both groundwater and surface water projects at 30,000 acre-feet. Thus, the actual recharge capability is maxed out at 30,000 acre-feet.



Summary

This bill is intended to increase recharge efforts by modifying the cap under the IJJA's Small Storage Program to clarify issues related to program interpretation by Reclamation.

This bill would modify the Small Storage Program through the following ways:

- Modifies the statute to split between surface water projects and groundwater projects, instead of combining both statutorily.
- Modifies the project recharge size from 30,000 acre-feet to 150,000 acre-feet on an annual basis over the life of the project for storage or use.
- Allows for aquifer stabilization efforts as an eligible criterion by which a project may apply for funding under the Small Storage Program.
 - This provision would be subject to a savings clause stating that water rights would not be impacted by such additional eligible criteria.

Status

H.R. 338 was introduced on January 13, 2025 and has been referred to the House Committee on Natural Resources.

Current Cosponsors

David Valadao (R-CA-22), Adam Gray (D-CA-13), Josh Harder (D-CA-09), Russ Fulcher (R-ID-01)

Importance to the Authority

Groundwater recharge projects are increasingly important for water storage and multi-year water management in light of the implementation of California's Sustainable Groundwater Management Act. The Bureau of Reclamation has begun to undertake recharge efforts throughout California and the Western United States.

Under the provisions of the legislation, groundwater recharge projects, including the Kern Fan Groundwater Recharge Project in Kern County, California, would be able to continually recharge more water and not lose out on critical funding simply due to having additional capabilities for recharge.

Modifying the statute to provide different criteria for groundwater storage compared to surface water storage allows for an enlargement of the cap for small conveyance projects that have large groundwater recharge capabilities.

State Legislation

[A.B. 259 \(Rubio\)](#), Open meetings: local agencies: teleconferences.

RECOMMENDATION: SUPPORT

OBJECTIVE: Education and Outreach

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. The act authorizes the 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 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, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing 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 that is open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, and the legislative body complies with prescribed requirements. Existing law requires a member to satisfy specified requirements to participate in a meeting remotely pursuant to these alternative teleconferencing provisions, including that specified circumstances apply. Existing law establishes limits on the number of meetings a member may participate in solely by teleconference from a remote location pursuant to these alternative teleconferencing provisions, including prohibiting such participation for more than 2 meetings per year if the legislative body regularly meets once per month or less.

This bill would remove the January 1, 2026, date from those provisions, thereby extending the alternative teleconferencing procedures indefinitely.

Existing law authorizes a member to participate remotely pursuant to the alternative teleconferencing provisions described above under specified circumstances, including participating due to emergency circumstances. Under existing law, the emergency circumstances basis for remote participation is contingent on a request to, and action by, the legislative body, as prescribed.

Existing law generally requires the legislative body of the local agency or its designee, at least 72 hours before a regular meeting, to post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session, as specified. Existing law, until January 1, 2026, authorizes a legislative body, notwithstanding that provision, to consider and take action on a request from a member to participate in a meeting remotely due to emergency circumstances if the request does not allow sufficient time to place the proposed action on the posted agenda for the meeting for which the request is made, as specified.

This bill would remove the January 1, 2026, date from that provision, thereby extending the authorization for a legislative body of a local agency to consider and take action on a request from a member to participate in a meeting remotely due to emergency circumstances as described above indefinitely.

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.

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.

Status

A.B. 259 was introduced on January 16, 2025 and is awaiting referral.

Importance to the Authority

As introduced, AB 259 would eliminate the sunset associated with [Assembly Bill 2449 \(Rubio, 2022\)](#), thereby allowing for the indefinite operation of its provisions.

AB 2449 provides local agencies the option to invoke alternative Brown Act meeting procedures in the event of a board member's absence in connection with a "just cause" or "emergency circumstance." Since the law took effect January 1, 2023, special districts and other local agencies have successfully utilized the AB 2449 procedures to facilitate remote participation for board members who otherwise would have been encumbered by illness, official travel, or medical emergencies.

Though the terms of AB 2449 have been amended since their passage, the sunset date associated with its terms has not been changed and the alternative Brown Act meeting procedures established by the bill are set to expire at the end of 2025. To avoid this outcome and preserve the remote meeting flexibility provided by AB 2449, CSDA is sponsoring AB 259 to remove the sunset from current law.

[Draft Legislation to fund State Route 152 Improvements associated with the B.F. Sisk Dam Raise and Reservoir Expansion Project](#)

RECOMMENDATION: SPONSOR AND SUPPORT

OBJECTIVE: Improve Water Infrastructure Affecting Authority Member Agencies

This bill would make legislative findings indicating the importance of the State Route 152 improvements, as well as the B.F. Sisk Dam Raise and Reservoir Expansion Project, and would authorize \$500 million in funds to complete the improvements to the embankment over Cottonwood Creek, a costly portion of the B.F. Sisk Dam Raise and Reservoir Expansion Project that is associated with transportation safety improvements on State Route 152.

Status

The Draft legislation is under review and drafting by Legislative Counsel and it is anticipated that Assemblymember Soria will author the legislation.

Importance to the Authority

The legislation would fund the unrelated State Route 152 transportation safety improvements, improving the affordability of the B.F. Sisk Dam Raise and Reservoir Expansion Project, and providing for the seismic safety improvements unrelated to the B.F. Sisk Dam Raise and Reservoir Expansion Project to be funded by public funds, consistent with the public benefits delivered.

[Guidelines for Taking Positions on Legislation](#)

A number of controversial bills are introduced each year in the Congress and in the California Legislature. It is important to understand how the Authority takes positions on legislation.



Policy

By Agenda Item 7, dated December 12, 2024, the Board adopted the Fiscal Year 2026 Objectives.

Water Authority's Positions on Legislation

The Water Authority takes positions on legislation that, if enacted, would impact Water Authority members, consistent with Water Authority Board adopted Goals and Objectives. The Water Authority may take the following positions on legislation: Oppose, Support, Oppose Unless Amended, Support if Amended, Not Favor, Favor, Not Favor Unless Amended, Favor if Amended, and Watch (neutral). The Water Authority's staff and consultants testify and advocate with legislators and staff through meetings and member agency contacts on all positions except Watch, Favor and Not Favor. For Favor and Not Favor positions, written communication of the Water Authority's position is provided to the legislator. Nothing in this section should be read to preclude the Executive Director or his or her designee from taking an informal support or informal oppose position on behalf of the Water Authority that is consistent with adopted legislative or policy objectives, or to preclude the Executive Director from communicating a position on emergency legislation after obtaining the concurrence of the Chair, or the Chair's designee, provided that the Executive Director informs the Board regarding such positions on emergency legislation no later than the next regularly scheduled Board meeting.

Amendment Development Process

If the Water Authority takes an Oppose Unless Amended or Support if Amended position, the Water Authority will typically discuss the concepts for the amendments at the meeting. Then Water Authority staff, in consultation with Committee and/or Board Members as needed, will develop the amendments after the meeting.

Information Sharing

To provide adequate information to the entire Water Authority membership, the Water Authority provides legislative updates, posts positions and other information on our website, and sends out advisories and alerts on key legislation.

The Water Authority's legislative department is available to provide specific information on bills on request and Board Members are encouraged to communicate Water Authority positions on priority legislation in meetings with legislative staff, consistent with Water Authority policy. The Water Authority's Water Policy Director appreciates being informed by Water Authority members of positions taken by Water Authority members on legislation.

BILL TEXT

.....
(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To provide technical and financial assistance for groundwater recharge,
aquifer storage, and water source substitution projects.

IN THE HOUSE OF REPRESENTATIVES

Mr. COSTA introduced the following bill; which was referred to the Committee
on _____

A BILL

To provide technical and financial assistance for groundwater
recharge, aquifer storage, and water source substitution
projects.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 **SECTION 1. ASSISTANCE FOR GROUNDWATER RECHARGE,**
4 **AQUIFER STORAGE, AND WATER SOURCE**
5 **SUBSTITUTION PROJECTS.**

6 Section 40910 of the Infrastructure Investment and
7 Jobs Act (Public Law 117–58) is amended by adding at
8 the end the following:

1 “(g) TRANSFER AUTHORITY.—Of the unobligated
2 balances of amounts made available under section 40901,
3 there may be made available to the Secretary \$3,000,000
4 for each of fiscal years 2026 through 2031 to carry out
5 subsection (a).”.

.....
(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To amend the Infrastructure Investment and Jobs Act to increase surface water and groundwater storage, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. COSTA introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Infrastructure Investment and Jobs Act to increase surface water and groundwater storage, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Every Drop Counts
5 Act”.

6 **SEC. 2. ELIGIBLE WATER STORAGE PROJECTS.**

7 (a) **IN GENERAL.**—Subparagraph (B) of section
8 40903(b)(1) of the Infrastructure Investment and Jobs

1 Act (43 U.S.C. 3203(b)(1)(B)) is amended to read as fol-
2 lows:

3 “(B) ELIGIBLE PROJECTS.—The following
4 projects shall be eligible for consideration for a
5 grant under this section:

6 “(i) GENERAL ACRE-FEET CAPAC-
7 ITY.—A project that—

8 “(I) has water storage capacity
9 of not less than 200 acre-feet and not
10 more than 30,000 acre-feet; and

11 “(II)(aa) increases surface water
12 or groundwater storage; or

13 “(bb) conveys water, directly or
14 indirectly, to or from surface water or
15 groundwater storage.

16 “(ii) AVERAGE ANNUAL PROJECT LIFE
17 ACRE-FEET CAPACITY.—A project that—

18 “(I) has water storage capacity
19 of recharges not less than 200 acre-
20 feet and not more than 150,000 acre-
21 feet on an average annual basis over
22 the life of the project for storage or
23 use; and

24 “(II)(aa) increases groundwater
25 aquifer storage;

1 “(bb) conveys water, directly or
2 indirectly, to or recovers water from
3 groundwater storage;

4 “(cc) both increases groundwater
5 aquifer storage and conveys water, di-
6 rectly or indirectly, to or recovers
7 water from groundwater storage;

8 “(dd) stabilizes groundwater lev-
9 els.”.

10 (b) **AUTHORITY.**—Section 40903(e) of the Infrastruc-
11 ture Investment and Jobs Act (43 U.S.C. 3203(e)) is
12 amended by striking “5” and inserting “10”.

13 **SEC. 3. STATUTORY CONSTRUCTION.**

14 Nothing in the amendment made by section 2 shall
15 be construed—

16 (1) to supersede or in any manner affect or
17 conflict with State water law, Federal water law,
18 interstate compacts, or treaty obligations;

19 (2) to authorize any acquisition of water by the
20 Federal Government; or

21 (3) to supersede or infringe on any water
22 rights.

ASSEMBLY BILL

No. 259

Introduced by Assembly Member Blanca Rubio

January 16, 2025

An act to amend and repeal Sections 54953 and 54954.2 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 259, as introduced, Blanca Rubio. Open meetings: local agencies: teleconferences.

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. The act authorizes the 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 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, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing 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 that is open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, and the legislative body complies with prescribed requirements. Existing law requires a member to satisfy specified requirements to participate in a meeting remotely pursuant to these

alternative teleconferencing provisions, including that specified circumstances apply. Existing law establishes limits on the number of meetings a member may participate in solely by teleconference from a remote location pursuant to these alternative teleconferencing provisions, including prohibiting such participation for more than 2 meetings per year if the legislative body regularly meets once per month or less.

This bill would remove the January 1, 2026, date from those provisions, thereby extending the alternative teleconferencing procedures indefinitely.

Existing law authorizes a member to participate remotely pursuant to the alternative teleconferencing provisions described above under specified circumstances, including participating due to emergency circumstances. Under existing law, the emergency circumstances basis for remote participation is contingent on a request to, and action by, the legislative body, as prescribed.

Existing law generally requires the legislative body of the local agency or its designee, at least 72 hours before a regular meeting, to post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session, as specified. Existing law, until January 1, 2026, authorizes a legislative body, notwithstanding that provision, to consider and take action on a request from a member to participate in a meeting remotely due to emergency circumstances if the request does not allow sufficient time to place the proposed action on the posted agenda for the meeting for which the request is made, as specified.

This bill would remove the January 1, 2026, date from that provision, thereby extending the authorization for a legislative body of a local agency to consider and take action on a request from a member to participate in a meeting remotely due to emergency circumstances as described above indefinitely.

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.

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.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

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

1 SECTION 1. Section 54953 of the Government Code, as
2 amended by Section 1 of Chapter 389 of the Statutes of 2024, is
3 amended to read:

4 54953. (a) All meetings of the legislative body of a local
5 agency shall be open and public, and all persons shall be permitted
6 to attend any meeting of the legislative body of a local agency,
7 except as otherwise provided in this chapter.

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

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

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

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

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

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

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

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

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

15 (3) Prior to taking final action, the legislative body shall orally
16 report a summary of a recommendation for a final action on the
17 salaries, salary schedules, or compensation paid in the form of
18 fringe benefits of a local agency executive, as defined in
19 subdivision (d) of Section 3511.1, during the open meeting in
20 which the final action is to be taken. This paragraph shall not affect
21 the public's right under the California Public Records Act (Division
22 10 (commencing with Section 7920.000) of Title 1) to inspect or
23 copy records created or received in the process of developing the
24 recommendation.

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

37 (2) Nothing in this subdivision shall be construed as
38 discouraging health authority members from regularly meeting at
39 a common physical site within the jurisdiction of the authority or
40 from using teleconference locations within or near the jurisdiction

1 of the authority. A teleconference meeting for which a quorum is
2 established pursuant to this subdivision shall be subject to all other
3 requirements of this section.

4 (3) For purposes of this subdivision, a health authority means
5 any entity created pursuant to Sections 14018.7, 14087.31,
6 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare
7 and Institutions Code, any joint powers authority created pursuant
8 to Article 1 (commencing with Section 6500) of Chapter 5 of
9 Division 7 for the purpose of contracting pursuant to Section
10 14087.3 of the Welfare and Institutions Code, and any advisory
11 committee to a county-sponsored health plan licensed pursuant to
12 Chapter 2.2 (commencing with Section 1340) of Division 2 of the
13 Health and Safety Code if the advisory committee has 12 or more
14 members.

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

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

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

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

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

38 (B) In the event of a disruption that prevents the legislative body
39 from broadcasting the meeting to members of the public using the
40 call-in option or internet-based service option, or in the event of

1 a disruption within the local agency's control that prevents
2 members of the public from offering public comments using the
3 call-in option or internet-based service option, the legislative body
4 shall take no further action on items appearing on the meeting
5 agenda until public access to the meeting via the call-in option or
6 internet-based service option is restored. Actions taken on agenda
7 items during a disruption that prevents the legislative body from
8 broadcasting the meeting may be challenged pursuant to Section
9 54960.1.

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

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

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

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

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

37 (3) If a state of emergency remains active, in order to continue
38 to teleconference without compliance with paragraph (3) of
39 subdivision (b), the legislative body shall, not later than 45 days
40 after teleconferencing for the first time pursuant to subparagraph

1 (A) or (B) of paragraph (1), and every 45 days thereafter, make
2 the following findings by majority vote:

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

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

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

10 (f) (1) The legislative body of a local agency may use
11 teleconferencing without complying with paragraph (3) of
12 subdivision (b) if, during the teleconference meeting, at least a
13 quorum of the members of the legislative body participates in
14 person from a singular physical location clearly identified on the
15 agenda, which location shall be open to the public and situated
16 within the boundaries of the territory over which the local agency
17 exercises jurisdiction and the legislative body complies with all
18 of the following:

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

23 (i) A two-way audiovisual platform.

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

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

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

35 (D) In the event of a disruption that prevents the legislative body
36 from broadcasting the meeting to members of the public using the
37 call-in option or internet-based service option, or in the event of
38 a disruption within the local agency's control that prevents
39 members of the public from offering public comments using the
40 call-in option or internet-based service option, the legislative body

1 shall take no further action on items appearing on the meeting
2 agenda until public access to the meeting via the call-in option or
3 internet-based service option is restored. Actions taken on agenda
4 items during a disruption that prevents the legislative body from
5 broadcasting the meeting may be challenged pursuant to Section
6 54960.1.

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

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

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

20 (A) One of the following circumstances applies:

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

28 (ii) The member requests the legislative body to allow them to
29 participate in the meeting remotely due to emergency circumstances
30 and the legislative body takes action to approve the request. The
31 legislative body shall request a general description of the
32 circumstances relating to their need to appear remotely at the given
33 meeting. A general description of an item generally need not exceed
34 20 words and shall not require the member to disclose any medical
35 diagnosis or disability, or any personal medical information that
36 is already exempt under existing law, such as the Confidentiality
37 of Medical Information Act (Chapter 1 (commencing with Section
38 56) of Part 2.6 of Division 1 of the Civil Code). For the purposes
39 of this clause, the following requirements apply:

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

5 (II) The legislative body may take action on a request to
6 participate remotely at the earliest opportunity. If the request does
7 not allow sufficient time to place proposed action on such a request
8 on the posted agenda for the meeting for which the request is made,
9 the legislative body may take action at the beginning of the meeting
10 in accordance with paragraph (4) of subdivision (b) of Section
11 54954.2.

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

17 (C) The member shall participate through both audio and visual
18 technology.

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

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

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

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

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

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

1 the legislative body shall also give notice of the procedure for
2 receiving and resolving requests for accommodation.

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

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

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

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

14 (1) “Emergency circumstances” means a physical or family
15 medical emergency that prevents a member from attending in
16 person.

17 (2) “Just cause” means any of the following:

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

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

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

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

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

35 (4) “Remote participation” means participation in a meeting by
36 teleconference at a location other than any physical meeting
37 location designated in the notice of the meeting. Watching or
38 listening to a meeting via webcasting or another similar electronic
39 medium that does not permit members to interactively hear,

1 discuss, or deliberate on matters, does not constitute remote
2 participation.

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

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

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

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

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

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

23 SEC. 2. Section 54953 of the Government Code, as amended
24 by Section 2 of Chapter 534 of the Statutes of 2023, is repealed.

25 ~~54953. (a) All meetings of the legislative body of a local
26 agency shall be open and public, and all persons shall be permitted
27 to attend any meeting of the legislative body of a local agency,
28 except as otherwise provided in this chapter.~~

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

37 ~~(2) Teleconferencing, as authorized by this section, may be used
38 for all purposes in connection with any meeting within the subject
39 matter jurisdiction of the legislative body. If the legislative body~~

1 of a local agency elects to use teleconferencing, the legislative
2 body of a local agency shall comply with all of the following:

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

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

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

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

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

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

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

29 (3) Prior to taking final action, the legislative body shall orally
30 report a summary of a recommendation for a final action on the
31 salaries, salary schedules, or compensation paid in the form of
32 fringe benefits of a local agency executive, as defined in
33 subdivision (d) of Section 3511.1, during the open meeting in
34 which the final action is to be taken. This paragraph shall not affect
35 the public's right under the California Public Records Act (Division
36 10 (commencing with Section 7920.000) of Title 1) to inspect or
37 copy records created or received in the process of developing the
38 recommendation.

39 (d) (1) Notwithstanding the provisions relating to a quorum in
40 paragraph (3) of subdivision (b), if a health authority conducts a

1 teleconference meeting, members who are outside the jurisdiction
2 of the authority may be counted toward the establishment of a
3 quorum when participating in the teleconference if at least 50
4 percent of the number of members that would establish a quorum
5 are present within the boundaries of the territory over which the
6 authority exercises jurisdiction, and the health authority provides
7 a teleconference number, and associated access codes, if any, that
8 allows any person to call in to participate in the meeting and the
9 number and access codes are identified in the notice and agenda
10 of the meeting.

11 ~~(2) Nothing in this subdivision shall be construed as~~
12 ~~discouraging health authority members from regularly meeting at~~
13 ~~a common physical site within the jurisdiction of the authority or~~
14 ~~from using teleconference locations within or near the jurisdiction~~
15 ~~of the authority. A teleconference meeting for which a quorum is~~
16 ~~established pursuant to this subdivision shall be subject to all other~~
17 ~~requirements of this section.~~

18 ~~(3) For purposes of this subdivision, a health authority means~~
19 ~~any entity created pursuant to Sections 14018.7, 14087.31,~~
20 ~~14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare~~
21 ~~and Institutions Code, any joint powers authority created pursuant~~
22 ~~to Article 1 (commencing with Section 6500) of Chapter 5 of~~
23 ~~Division 7 for the purpose of contracting pursuant to Section~~
24 ~~14087.3 of the Welfare and Institutions Code, and any advisory~~
25 ~~committee to a county-sponsored health plan licensed pursuant to~~
26 ~~Chapter 2.2 (commencing with Section 1340) of Division 2 of the~~
27 ~~Health and Safety Code if the advisory committee has 12 or more~~
28 ~~members.~~

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

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

38 ~~(B) The legislative body holds a meeting during a proclaimed~~
39 ~~state of emergency and has determined, by majority vote, pursuant~~
40 ~~to subparagraph (A), that, as a result of the emergency, meeting~~

1 in person would present imminent risks to the health or safety of
2 attendees.

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

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

12 (B) In the event of a disruption that prevents the legislative body
13 from broadcasting the meeting to members of the public using the
14 call-in option or internet-based service option, or in the event of
15 a disruption within the local agency's control that prevents
16 members of the public from offering public comments using the
17 call-in option or internet-based service option, the legislative body
18 shall take no further action on items appearing on the meeting
19 agenda until public access to the meeting via the call-in option or
20 internet-based service option is restored. Actions taken on agenda
21 items during a disruption that prevents the legislative body from
22 broadcasting the meeting may be challenged pursuant to Section
23 54960.1.

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

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

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

39 (ii) A legislative body that does not provide a timed public
40 comment period, but takes public comment separately on each

1 agenda item, shall allow a reasonable amount of time per agenda
2 item to allow public members the opportunity to provide public
3 comment, including time for members of the public to register
4 pursuant to subparagraph (D), or otherwise be recognized for the
5 purpose of providing public comment.

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

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

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

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

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

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

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

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

38 (2) ~~Nothing in this section shall prohibit a legislative body from
39 providing the public with additional physical locations in which~~

1 ~~the public may observe and address the legislative body by~~
2 ~~electronic means.~~

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

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

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

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

13 SEC. 3. Section 54954.2 of the Government Code, as amended
14 by Section 91 of Chapter 131 of the Statutes of 2023, is amended
15 to read:

16 54954.2. (a) (1) At least 72 hours before a regular meeting,
17 the legislative body of the local agency, or its designee, shall post
18 an agenda containing a brief general description of each item of
19 business to be transacted or discussed at the meeting, including
20 items to be discussed in closed session. A brief general description
21 of an item generally need not exceed 20 words. The agenda shall
22 specify the time and location of the regular meeting and shall be
23 posted in a location that is freely accessible to members of the
24 public and on the local agency’s internet website, if the local
25 agency has one. If requested, the agenda shall be made available
26 in appropriate alternative formats to persons with a disability, as
27 required by Section 202 of the Americans with Disabilities Act of
28 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations
29 adopted in implementation thereof. The agenda shall include
30 information regarding how, to whom, and when a request for
31 disability-related modification or accommodation, including
32 auxiliary aids or services, may be made by a person with a
33 disability who requires a modification or accommodation in order
34 to participate in the public meeting.

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

39 (A) An online posting of an agenda shall be posted on the
40 primary internet website home page of a city, county, city and

1 county, special district, school district, or political subdivision
2 established by the state that is accessible through a prominent,
3 direct link to the current agenda. The direct link to the agenda shall
4 not be in a contextual menu; however, a link in addition to the
5 direct link to the agenda may be accessible through a contextual
6 menu.

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

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

13 (ii) Platform independent and machine readable.

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

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

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

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

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

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

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

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

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

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

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

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

38 (1) Upon a determination by a majority vote of the legislative
39 body that an emergency situation exists, as defined in Section
40 54956.5.

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

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

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

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

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

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

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

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

35 SEC. 4. Section 54954.2 of the Government Code, as amended
36 by Section 92 of Chapter 131 of the Statutes of 2023, is repealed.

37 ~~54954.2. (a) (1) At least 72 hours before a regular meeting,~~
38 ~~the legislative body of the local agency, or its designee, shall post~~
39 ~~an agenda containing a brief general description of each item of~~
40 ~~business to be transacted or discussed at the meeting, including~~

1 items to be discussed in closed session. A brief general description
2 of an item generally need not exceed 20 words. The agenda shall
3 specify the time and location of the regular meeting and shall be
4 posted in a location that is freely accessible to members of the
5 public and on the local agency's internet website, if the local
6 agency has one. If requested, the agenda shall be made available
7 in appropriate alternative formats to persons with a disability, as
8 required by Section 202 of the Americans with Disabilities Act of
9 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations
10 adopted in implementation thereof. The agenda shall include
11 information regarding how, to whom, and when a request for
12 disability-related modification or accommodation, including
13 auxiliary aids or services, may be made by a person with a
14 disability who requires a modification or accommodation in order
15 to participate in the public meeting.

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

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

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

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

34 (ii) Platform independent and machine readable.

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

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

1 management platform shall not be required to comply with
2 subparagraph (A) if all of the following are met:

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

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

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

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

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

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

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

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

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

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

20 ~~(1) Upon a determination by a majority vote of the legislative~~
21 ~~body that an emergency situation exists, as defined in Section~~
22 ~~54956.5.~~

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

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

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

38 ~~(d) For purposes of subdivision (a), the requirement that the~~
39 ~~agenda be posted on the local agency's internet website, if the~~

1 local agency has one, shall only apply to a legislative body that
2 meets either of the following standards:

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

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

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

11 SEC. 5. The Legislature finds and declares that Sections 1 and
12 2 of this act, which amend and repeal Section 54953 of the
13 Government Code, and Sections 3 and 4 of this act, which amend
14 and repeal Section 54954.2 of the Government Code, impose a
15 limitation on the public's right of access to the meetings of public
16 bodies or the writings of public officials and agencies within the
17 meaning of Section 3 of Article I of the California Constitution.
18 Pursuant to that constitutional provision, the Legislature makes
19 the following findings to demonstrate the interest protected by this
20 limitation and the need for protecting that interest:

21 By extending the alternative teleconferencing procedure
22 provisions and provisions relating to requests from members to
23 participate in those meetings remotely due to emergency
24 circumstances indefinitely, this act allows for greater accessibility
25 to, and public participation in, teleconference meetings while
26 preserving the public's right to access information concerning the
27 conduct of the people's business.

28 SEC. 6. The Legislature finds and declares that Sections 1 and
29 2 of this act, which amend and repeal Section 54953 of the
30 Government Code, and Sections 3 and 4 of this act, which amend
31 and repeal Section 54954.2 of the Government Code, further,
32 within the meaning of paragraph (7) of subdivision (b) of Section
33 3 of Article I of the California Constitution, the purposes of that
34 constitutional section as it relates to the right of public access to
35 the meetings of local public bodies or the writings of local public
36 officials and local agencies. Pursuant to paragraph (7) of
37 subdivision (b) of Section 3 of Article I of the California
38 Constitution, the Legislature makes the following findings:

1 This act is necessary to ensure greater accessibility to, and public
2 participation in, teleconference meetings.

O

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

SENATE BILL

NO. ____

Introduced by Senator ____
(Principal coauthor: Assembly Member ____)
(Coauthors: Senators ____)
(Coauthors: Assembly Members ____)

Date

Text

LEGISLATIVE COUNSEL'S DIGEST

Text

Digest Key

Vote: MAJORITY Appropriation: NO Fiscal Committee: YES Local Program: NO

Bill Text

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

SECTION 1.

The Legislature finds and declares all of the following:

- (a) The human right to water as state policy was enacted in 2013. Climate change is impacting the ability of existing water infrastructure to provide safe, affordable, and reliable water supplies to all Californians.

- (b) Improved water storage and improved water conveyance have been identified in numerous reports as necessary infrastructure improvements to adapt to a changing climate and improve water security for Californians.
- (c) Improving surface and groundwater storage is a necessary step to improving water resilience and to protect communities from the impacts of drought and climate change, which will improve the accessibility of safe and reliable drinking water and other beneficial uses of water.
- (d) The B.F. Sisk Dam, which impounds water to create San Luis Reservoir, is the hub of the water storage infrastructure for the Central Valley Project and State Water Project south of the Sacramento-San Joaquin Bay-Delta, and water stored in the San Luis Reservoir provides important storage capacity that benefits agricultural, municipal and industrial use, and refuge water supplies.
- (e) Over 750,000 acres of farmland receive water from the State Water Project and nearly 2,500,000 acres of productive cropland are benefited by the operational flexibility provided by water storage at San Luis Reservoir.
- (f) A significant number of the communities that are reliant on conjunctive use of water delivered through the south-of-Delta facilities of the Central Valley Project, including the San Luis Reservoir, are considered disadvantaged or severely disadvantaged.
- (g) These communities, particularly throughout the San Joaquin Valley, face adverse impacts associated with reduced water supply, including lack of drinking water, loss of job opportunities and job security.
- (h) The B.F. Sisk Dam Raise and Reservoir Expansion Project, when complete, would expand the capacity of the two-million acre-foot reservoir by 130,000 acre-feet -- enough to supply nearly 400,000 homes a year.
- (i) In extremely wet years like 2017 and 2023, San Luis Reservoir fills and California misses an opportunity to capture and store even more water for use during subsequent dry years.
- (j) The B.F. Sisk Dam Raise and Reservoir Expansion Project has been awarded federal funding for a project to both improve the safety of the dam and to raise the reservoir by 10 feet to increase water storage capacity.
- (k) The B.F. Sisk Dam Raise and Reservoir Expansion Project project enjoys widespread support at the federal, state, and local levels, including being included in California's Water Supply Strategy – Adapting to a Hotter, Drier Future.
- (l) The Project's estimated cost to construct is \$1,000,000,000.
- (m) Roughly 50 percent of the project costs are related to improvements on Highway 152 - most of which is related to transportation public safety, unrelated to the reservoir expansion project itself.
- (n) The required Hwy 152 improvements provide a statewide public safety benefit and should be funded by the state for the benefit they deliver, ensuring water affordability for communities remains affordable.

SEC. 2.

The Legislature hereby allocates \$455.5 Million to the San Luis & Delta Mendota Water Authority for the purpose of funding the Highway 152 improvements required to complete the B.F. Sisk Dam Raise and Reservoir Expansion Project.

SB 559 Text

Section 140.5 is added to the Water Code, to read:

140.5.

(a) The Canal Conveyance Capacity Restoration Fund is hereby established in the State Treasury. The department shall administer the fund.

(b) All moneys deposited in the fund shall be expended, upon appropriation by the Legislature, in support of subsidence repair costs, including environmental planning, permitting, design, and construction and necessary road and bridge upgrades required to accommodate capacity improvements.

(c) Moneys expended from the fund for each individual project specified in subdivision (d) shall not exceed one-third of the total cost of each individual project. The total amount expended from the fund for all of the projects specified in subdivision (d) shall not exceed seven hundred eighty-five million dollars (\$785,000,000).

(d) The department shall expend from the fund, upon appropriation by the Legislature, all of the following, consistent with subdivision (b):

(1) Three hundred eight million dollars (\$308,000,000) for a grant to the Friant Water Authority to restore the capacity of the Friant-Kern Canal.

(2) One hundred eighty-seven million dollars (\$187,000,000) for a grant to the San Luis and Delta-Mendota Water Authority to restore the capacity of the Delta-Mendota Canal.

(3) One hundred ninety-four million dollars (\$194,000,000) to restore the capacity of the San Luis Field Division of the California Aqueduct.

(4) Ninety-six million dollars (\$96,000,000) to restore the capacity of the San Joaquin Division of the California Aqueduct.

(e) This section shall become inoperative on July 1, 2030, and, as of January 1, 2031, is repealed.