



#### **BOARD OF DIRECTORS**

Stacy Atkins-Salazar, City of Arcata, **Chair**  
Michelle Lewis-Lusso City of Blue Lake, **Vice Chair**  
Leslie Castellano, City of Eureka  
Randy Cady, City of Ferndale  
Steve Madrone, County of Humboldt  
Frank Wilson, City of Rio Dell

### **Meeting Agenda**

**Thursday, January 8, 2026, at 5:30 PM**  
**Eureka City Council Chamber**  
**531 K Street**  
**Eureka, CA**

#### **HOW TO PARTICIPATE**

The public is invited to attend and participate in the HWMA Board of Directors meeting using any of the following methods.

##### **1. IN-PERSON**

The public can attend and provide in-person comments during the meeting on regular agenda items and during Oral/Written Comment, at the Eureka City Council Chambers located on the second floor at 531 K Street, Eureka, California.

##### **2. REMOTE**

As a courtesy, and technology permitting, members of the public may continue to observe and participate remotely through the Zoom platform. HWMA cannot guarantee that the public's access to teleconference technology will be uninterrupted, and technical difficulties may occur from time to time. In those instances, so long as there is a board quorum and the public may still attend the meeting in person, the meeting will continue.

- a. Zoom <https://us06web.zoom.us/j/87272840425>
- b. Zoom Phone Numbers. +17207072699, Meeting ID: 87272840425

During the meeting, each period for public comment will be announced, and participants may use Zoom's "Raise Hand" feature to request to speak. If calling in via Zoom use \*9 to raise and lower your hand. The meeting host will call on you, by name or last four digits of your phone number and enable the microphone when it is your turn to speak. To ensure the orderly meeting conduct, providing your name is encouraged, but not required.

##### **3. EMAIL**

The public may submit public comment via email to [board@hwma.net](mailto:board@hwma.net). Any comments received up until 3:00 pm of the meeting date will be:

- a. Distributed to Board Members via email prior to the meeting,
- b. Referenced and attached to the meeting minutes.

Such email comments must identify the agenda item number in the subject line of the email. Comments received will be read into the record by staff, with a maximum allowance of three minutes (approximately 500 words) per individual comment, subject to the Chair's discretion. If a comment is received after the agenda item is heard, but before the close of the meeting, the comment will still be included as part of the written record of the meeting but will not be read into the record during the meeting.

#### **4. TO WATCH OR LISTEN ONLY**

The public may view the meeting on one-way video feed on Access Humboldt's YouTube Channel at [www.youtube.com/c/accesshumboldt/live](http://www.youtube.com/c/accesshumboldt/live)

***Copies Available:** Copies of the agenda materials are available electronically at [www.hwma.net](http://www.hwma.net), through individual HWMA member agencies, or by calling HWMA at (707) 268-8680. There may be a charge for copies.*

***Accessibility:** Accommodations and access to HWMA meetings for people with special needs must be requested in advance of the meeting at (707) 268-8680 or by emailing [board@hwma.net](mailto:board@hwma.net). The Eureka City Council Chamber room is ADA accessible. This agenda and other materials are available in alternative formats upon request.*

#### **1. Call to Order and Roll Call at 5:30 PM**

#### **2. Consent Calendar**

All matters listed under the Consent Calendar are considered to be routine by the HWMA Board and will be enacted upon by one motion, unless a specific request for review is made by a Board Member or a member of the public. The Consent Calendar will not be read. There will be no separate discussion of these items unless pulled for discussion.

- a. Approve Minutes from the November 13, 2025, HWMA Board of Directors Meeting.
- b. Review and Approve Draft September 2025 Financial Reports.
- c. Review and Approve Draft October 2025 Financial Reports.
- d. Review and Approve Recommendation for BBW & Associates, Inc. as the Successful Proposer for Registered Professional Forestry Services.
- e. Receive Overview of SB 707 (Durazo) and Receive Full Updated Legislative Text of the Ralph M. Brown Act.

#### **3. Oral and Written Communications**

This time is provided for people to address the board or to submit written communications concerning matters not on this agenda. Board Members may respond to statements, but any request that requires board action will be referred to staff for review. Reasonable time limits may be imposed on both the total amount of time allocated for this item, and on the time permitted to each individual speaker. Such time allotment or portion thereof shall not be transferred to other speakers.

#### **4. Receive Presentation on Mattress Recycling**

#### **5. Receive Update on Organics in Humboldt County**

#### **6. Standing Item: Board Member Reports.**

#### **7. Standing Item: Executive Director's Report.**

**8. Adjourn.**



**BOARD OF DIRECTORS**

Meredith Matthews, City of Arcata, **Chair**  
Michelle Lewis-Lusso City of Blue Lake, **Vice Chair**  
Leslie Castellano, City of Eureka  
Randall Cady, City of Ferndale  
Steve Madrone, County of Humboldt  
Frank Wilson, City of Rio Dell

**Minutes**

**Thursday, November 13, 2025, at 5:30 PM**

**Eureka City Council Chamber**

Present: Meredith Matthews, Elise Scafani (alternate), Leslie Castellano, Steve Madrone, Frank Wilson.  
Absent: Randall Cady  
Staff: Eric Keller-Heckman, Helder Morais, Hilary Schwartz  
Legal Counsel: None

**1. Call to Order and Roll Call at 5:30 PM**

**Chairperson Matthews** called the meeting was called to order at 5:30 PM. A quorum was present and acting.

**2. Consent Calendar**

- a. Approve Minutes from the October 9, 2025, HWMA Board of Directors Meeting.
- b. Review and Approve Draft August 2025 Financial Reports

**Chairperson Matthews** inquired if there were any requests to pull items from the Consent Calendar, and there were no requests.

**Chairperson Matthews** opened the floor to public comment, and no public comment on the Consent Calendar was received.

**Chairperson Matthews** closed the floor to public comment.

**Motion:** **Director Castellano** motioned, and **Director Madrone** seconded, to approve items a) through b) of the Consent Calendar as delivered.

**Action:** Approve the Motion as made by **Director Castellano** and seconded by **Director Madrone**.

**Ayes:** Unanimous

**Noes:** None

**Absent:** **Director Lewis-Lusso**

**3. Oral and Written Communications**

**Chairperson Matthews** opened the floor to public comment regarding items not on the agenda. No public comment was received.

**Chairperson Matthews** closed the floor to public comment.

**4. Approve Resolution 2026-07 and Update to Policy 4080 “Credit Cards” of the HWMA Policy Handbook**

**Executive Director Keller-Heckman** advised the board that this item was a continuation in a series of updates to the HWMA Policy Handbook. HWMA Policy 4080 defines the Authority’s purchasing policies, and this particular policy relates to use of Authority credit cards. After consulting with Jamie Corsetti, CPA, who assists the HWMA with financial audit preparation, and Richardson & Company, CPAs, the HWMA’s new audit firm, staff recommends updating the policy language to reflect best practices regarding documentation of credit card purchases. Staff recommends updating the required documentation for credit card purchases to include the following information: account number, vendor name, date of purchase, invoice number, description of items purchased, total purchase amount, and payment method.

**Director Castellano** requested clarification that the policy update impacted purchase documentation only, which **Executive Director Keller-Heckman** confirmed. **Chairperson Matthews** thanked staff for their efforts to thoroughly update the Policy Handbook.

**Chairperson Matthews** opened the floor to public comment. No public comment was received.

**Chairperson Matthews** closed the floor to public comment.

- Motion:** **Director Castellano** motioned, and **Director Madrone** seconded, to approve Resolution 2026-07, updating Policy 4080 “Credit Cards” of the HWMA Policy Handbook.
- Action:** Approve the Motion as made by **Director Castellano** and seconded by **Director Madrone**.
- Ayes:** Unanimous
- Noes:** None
- Absent:** **Director Lewis-Lusso**

**5. Receive Update on 457 Match**

**Executive Director Keller-Heckman** began by reviewing that at their October 13<sup>th</sup>, 2025, regular meeting, the board had directed staff to return at this meeting with specific policy recommendations regarding a potential 457 plan match. **Executive Director Keller-Heckman** briefly reviewed the historical changes that have occurred with the CalPERS defined benefit retirement plans, including the prohibition on employer “pick-up” of employee contributions, and how that has affected HWMA employees. **Executive Director Keller-Heckman** further reviewed the deferred compensation retirement plans currently available to all HWMA staff regardless of their CalPERS classification.

**Executive Director Keller-Heckman** described the board’s recent direction to conduct a poll of current employees, including participation rates and staff interested in participating in a 457 plan, and to determine what other local agencies offer a similar benefit. **Executive Director Keller-Heckman** presented a chart of staff distribution by

years of service and division. Approximately 60% of HWMA staff has been with the Authority for 10 years or less, while about 25% have been with the Authority for 20 years or more, with a large gap in between. The internal poll regarding plan participation and interest in a 457 match revealed that enrollment increased after the board's discussion at the October meeting, with 37% or 11 staff members now participating and an additional 6 staff members expressing interest in participating. The 457 plan representative met with staff onsite to ensure that all questions were accurately addressed. Finally, staff identified eight local agencies that offer a similar benefit to HWMA's proposed 457 match, although staff noted a diverse variety of methodologies used to calculate those benefits, including some achieved through collective bargaining.

**Executive Director Keller-Heckman** then reviewed the match contribution calculations at 3% or 5% of simple wages, and the total fiscal impact the contributions would have on the Authority budget if all staff members participated and made maximum contributions. **Executive Director Keller-Heckman** advised that with a current participation rate of 11, it is unlikely that the introduction of a match would lead to 100% participation with maximum contributions. If the board chooses to move forward, staff will return with proposed funding levels and ideas staff has discussed internally regarding the best way to budget for these potential expenditures. Staff recommends the board provide direction on the options presented. If the board chooses to move forward with one of the options presented, staff recommends the board to direct staff to return no later than January with draft policy language.

**Director Madrone** inquired as to the Authority's turnover rate, noting that improved employee benefits increase longevity and reduce the costs associated with onboarding and training new employees. **Executive Director Keller-Heckman** advised that turnover has decreased since the pandemic and the closure of the Eureka Recycling Center. However, several positions have been frozen, making the turnover rate in recent years difficult to compare to prior years. **Director Madrone** asked if the proposed 457 match would increase longevity, and **Executive Director Keller-Heckman** replied that the proposed match would benefit employees across the board.

**Director Castellano** inquired about the recent history of cost-of-living adjustments. **Executive Director Keller-Heckman** explained the current methodology for these adjustments, based on the West Region Worker Consumer Price Index, capped at a maximum of 5% annually. **Director Castellano** inquired if there was a problem with attrition, and **Executive Director Keller-Heckman** reiterated that while there is not significant problem with attrition, frozen positions have made retention comparisons difficult. **Director Castellano** asked if this proposed policy was the result of a collective bargaining agreement, and **Executive Director Keller-Heckman** responded that it was not. **Director Castellano** inquired about the years of service of the staff members who were interested in participating in the plan if there was an employer match. **Director Schwartz** responded that two of the interested staff members were in the 10 years and under group, whereas the other two were in the 20 years and over group. **Director Schwartz** also indicated that the 457 plan was an effective recruitment tool among applicants who are coming from other local agencies.

**Chairperson Matthews** affirmed the value of a 457 match but inquired if the expenditure would require the Authority to raise rates. **Director Schwartz** recommended that the board to review the presentation slide showing the total potential impact of the proposed match on the tip fee. **Chairperson Matthews** inquired if that potential impact would be in addition to recent rate increases, and **Executive Director Keller-Heckman** confirmed that the cost of a match would be additive to current rates due to the way the Authority budgets for costs and collects fees. **Chairperson Matthews** expressed hesitation due to other public utility increases that are planned for her jurisdiction. **Director Madrone** commented that both the cost savings of increased retention and the cost burden of increased turnover are not always visible in the current budget cycle. **Executive Director Keller-Heckman** reminded the board how valuable experienced employees are, particularly given that they operate heavy equipment that is extremely expensive to repair if damaged by inexperienced operators. **Director Madrone** added that inexperience can also lead to workplace injuries, which can be even more costly for the Authority.

**Chairperson Matthews** opened the floor to public comment. No public comment was received.

**Chairperson Matthews** closed the floor to public comment.

**Director Castellano** expressed support for staff and retention efforts but stated that recent rate increases affecting her constituents made it impossible for her to support any resolutions that would lead to additional increases to the tip fee in the current economic climate. She indicated that she would be willing to revisit the proposed match in the future or if it did not impact rates, given the recent history of significant cost of living increases for HWMA staff. **Chairperson Matthews** indicated that she was inclined to agree with **Director Castellano**, and suggested the item be brought back before the board again in the future.

**Director Madrone** reiterated his opinion that the proposed match would also yield costs savings and inquired if there was a way to absorb the cost in the short-term, identify the final enrollment levels, and then determine if a rate increase is necessary to continue providing the benefit. **Executive Director Keller-Heckman** responded that staff would recommend implementing the proposed match at the beginning of the next fiscal year, and that the Authority has an Employee Benefits reserve fund that could be utilized in the short-term to absorb the increased costs. **Executive Director Keller-Heckman** expressed hesitation about implementing a benefit with the risk of having to pull it back due to lack of available funds. Additionally, as with all costs, replenishing reserves would be a net additive to the tip fee.

**Director Madrone** commented that if the Authority was unionized like many of the other local agencies, this benefit would likely be required by a collective bargaining agreement. He continued that while he supported the proposed match, he did not want to make a motion that lacked broader support from his fellow board members. However, he requested an update on greenwaste and organics recycling and suggested that the proposed match be revisited in the context of the new services the Authority will be rolling out in the coming fiscal year. **Executive Director Keller-Heckman** responded

that an update on organics will be coming in January, including an update on the feasibility study RFP. **Chairperson Matthews** confirmed that the board would not be moving forward with the proposed match at this time. **Director Scafani** inquired as to how staff arrived at the two proposed match levels of 3% and 5%, and if a 2% match was an option. **Executive Director Keller-Heckman** responded that the match level, if any, would be determined by board discretion, but that 3% and 5% were two common mid-range match levels among the agencies that staff contacted, although the full range was between 1.5% and 8%. **Director Madrone** thanked staff for conducting the polling and asked for clarification if the Authority was matching current staff contributions. **Executive Director Keller-Heckman** responded that the Authority is not currently matching staff contributions so all projected costs of a match would be new, even if the level of enrollment did not increase. **Director Wilson** requested clarification about the graphs presented and indicated that he thought that it would be beneficial to revisit the topic in January with updated information about staff's expectations for the next fiscal year and budget.

#### **6. Standing Item: Board Member Reports**

The Directors had no further reports.

#### **7. Standing Item: Executive Director's Report**

**Executive Director Keller-Heckman** reported the Organics Feasibility Study RFP had been circulated and staff expected to have a chosen proposer to recommend at the board meeting in January. Additionally, **Director Morais** will present a look inside another operational activity in January to keep the board informed about HWMA daily operations.

**Chairperson Matthews** adjourned the meeting to at 6:08 pm.



HUMBOLDT WASTE  
MANAGEMENT AUTHORITY

***Staff Report***

**DATE:** January 2, 2026. For Meeting of: January 8, 2026

**FROM:** Hilary Schwartz, Director of Finance

**SUBJECT:** Item 2b)  
Receive Draft September 2025 Financial Reports

**RECOMMENDED ACTION:** Voice Vote

- 1) Review and Approve Draft September 2025 Financial Reports

**DISCUSSION:**

**Background:**

Each month, staff presents an update on the Authority's financials based on activity to-date for the current month. This enables staff to provide a complete presentation of the full financial activity for that period, as financial data will have been recorded and finalized for the reporting period at that point.

Each year, pending the finalization of the Authority's financial audit, these financial reports are presented as *preliminary* financial reports. Once the audit is finalized and staff closes the prior fiscal year, information presented will represent accurate to-date financial activity and will be marked as such.

The Authority's cash position is comprised of seven accounts: 1) the Authority's checking account, which handles the day-to-day expenses; 2) the Operating Reserve investment account; 3) the Cummings Road Landfill Pledge of Revenue investment account; 4) the Capital Improvement investment account; 5) the Employee Benefits investment account; 6) the Rate Stabilization investment account; and 7) the Long-Term Funding investment account. Together, the balances in these accounts constitute the total cash available to the Authority for reserves and operating activities. The current balances of the Authority's operating and investment accounts as of September 30, 2025, are as follows:

1)	Cash on hand	\$	2,029,215.74
2)	Operating Reserve	\$	1,494,283.57
3)	CRL Pledge of Revenue	\$	178,196.22
4)	Capital Improvement Fund	\$	911,296.40
5)	Employee Benefits Fund	\$	150,000.00
6)	Rate Stabilization Fund	\$	400,000.00
7)	Long-Term Funding	\$	225,559.48

**Authority Financials:**

Attachment 2b.1 contains the draft September 2025 financial reports, for board review and discussion. An analysis of that information as it relates to revenues and expenses, and current month disbursements to vendors and employees, is provided herein.

**Revenues:**

Revenues for September 2025 performed at approximately 5.9% above budget estimates for Fiscal Year 2025-26. Revenues for the 3<sup>rd</sup> quarter of 2025 averaged 5.43% above budget estimates. These estimates encapsulate all activity throughout the Authority, although finances will be influenced by future payouts of fees passed through to Member Agencies, revenue shares for salvaged materials sales, and the delayed receipt of grant revenues for grant-based projects. In September 2025, all the Authority's solid waste revenue streams were higher than budget projections. The Authority's invested reserves earned \$3,674.89 interest in September 2025.

Staff continues to monitor diversion programs in terms of not only cost, but self-sustaining viability. At present, all divisions are fully funded from self-sustaining revenues or fees passed through from Self-Haul, Franchise, and Satellite facility tipping fees.

**Expenses:**

Operating expenses for September 2025 were approximately 9.79% above budget estimates, including expenses related to depreciation of Authority assets, and quarterly payments to Member Agencies for pass-through payments. Operating expenses for the 3<sup>rd</sup> quarter of 2025 averaged about 7.62% below budget estimates. In September 2025, significant annual permit and environmental monitoring costs were incurred, while repair and maintenance costs were below budget estimates. Staff continues to maintain strong control of ongoing expenses with particular attention to quarterly trends as the mid-year budget review approaches.

Monthly disbursements to Authority vendors and employees are summarized in Attachment 2b.1 (*Statement of Cash Flow*) for the month of September 2025. These disbursements are comprised primarily of day-to-day costs, representing \$515,579.65 in transportation and disposal costs, \$260,571.94 in payroll and employee benefit costs, and \$249,829.29 in pass-through allocations to member agencies.

**Staff's Recommendation:**

Staff recommends the board review and approve the draft September 2025 Financial Reports.

**Attachments:**

- 2b.1) Draft September 2025 Financial Reports



# Humboldt Waste Management Authority

Draft Balance Sheet  
As of September 30, 2025  
Attachment 2b.1

	TOTAL
<b>ASSETS</b>	
Current Assets	
Bank Accounts	
1000 Checking - Columbia Bank	2,502,603.82
1001 CRL Pledge-8913	177,546.95
1002 Rate Reserve-6008	771,771.31
1003 CIP-3488	940,347.02
1004 LAIF	760,000.00
1010 Petty Cash (deleted)	138.25
1015 Change Bank	5,500.00
<b>Total Bank Accounts</b>	<b>\$5,157,907.35</b>
Accounts Receivable	
1020 Accounts Receivable	1,679,191.61
1030 Allowance for Doubtful Accounts	0.00
<b>Total Accounts Receivable</b>	<b>\$1,679,191.61</b>
Other Current Assets	
1025 A/R - Other	0.00
1045 Prepaid Expenses	82,706.23
1050 Prepaid Insurance	254,943.89
1055 Undeposited Funds	1,101.15
Due from Other Governments	0.00
<b>Total Other Current Assets</b>	<b>\$338,751.27</b>
<b>Total Current Assets</b>	<b>\$7,175,850.23</b>
Fixed Assets	
1100 Land - Admin	2,809,139.62
1200 Land Improvements	
1201 Admin	1,468,543.91
1202 Transfer Station	903,375.59
1203 HHW	7,050.00
1204 Landfill	32,506.91
1205 Organics	15,696.00
<b>Total 1200 Land Improvements</b>	<b>2,427,172.41</b>
1300 Buildings	
1301 Admin	0.00
1302 Transfer Station	2,632,084.25
1303 HHW	300,742.17
1305 Organics	9,642.53
<b>Total 1300 Buildings</b>	<b>2,942,468.95</b>

# Humboldt Waste Management Authority

## Draft Balance Sheet

As of September 30, 2025

	TOTAL
1400 Building Improvements	
1401 Admin	50,076.58
1402 Transfer Station*	382,173.63
1403 HHW	218,564.55
1404 Landfill	24,068.95
1405 Organics	64,371.90
<b>Total 1400 Building Improvements</b>	<b>739,255.61</b>
1500 Equipment	
1501 Admin	40,398.50
1502 Transfer Station*	1,880,566.00
1503 HHW	89,463.99
1504 Landfill	621,532.61
1505 Organics	151,157.65
1507 Programs	0.00
<b>Total 1500 Equipment</b>	<b>2,783,118.75</b>
1600 Office Equipment	
1601 Admin	19,045.66
1605 Organics	0.00
<b>Total 1600 Office Equipment</b>	<b>19,045.66</b>
1700 Vehicles	
1701 Admin	28,790.62
1702 Transfer Station*	13,576.24
1703 HHW	46,079.18
1704 Landfill	48,292.28
<b>Total 1700 Vehicles</b>	<b>136,738.32</b>
1800 Software	
1801 Admin	69,573.89
<b>Total 1800 Software</b>	<b>69,573.89</b>
1900 Accumulated Depreciation	(7,091,107.71)
<b>Total Fixed Assets</b>	<b>\$4,835,405.50</b>
Other Assets	
1035 Deferred Outflows - Pension	666,383.00
1910 Waste Authority Permit	221,171.00
1920 Land Purchase Option - CRBAS	0.00
<b>Total Other Assets</b>	<b>\$887,554.00</b>
<b>TOTAL ASSETS</b>	<b>\$12,898,809.73</b>

# Humboldt Waste Management Authority

## Draft Balance Sheet

As of September 30, 2025

	TOTAL
<b>LIABILITIES AND EQUITY</b>	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 Accounts Payable	1,071,152.74
<b>Total Accounts Payable</b>	<b>\$1,071,152.74</b>
Credit Cards	
2005 2005 Umpqua Bank Visa	0.00
2006 Unassigned	0.00
2007 Heacock	9,160.23
2008 Schwartz	3,147.96
2009 Keller	0.00
<b>Total 2005 2005 Umpqua Bank Visa</b>	<b>12,308.19</b>
<b>Total Credit Cards</b>	<b>\$12,308.19</b>
Other Current Liabilities	
2010 Accounts Payable - Other	0.00
2015 Accrued 457 deferrals payable	0.00
2020 Accrued AFLAC	316.75
2022 Accrued Bank Charges	4,784.12
2025 Accrued CalPERS	0.00
2026 UAL CalPERS	0.00
2030 Accrued CalPERS - Clearing	0.00
2035 Accrued FWH/MED	0.00
2040 Accrued Payroll	0.00
2045 Accrued PR Taxes	0.00
2050 Accrued PTO Current Portion	145,868.32
2055 Accrued SUI/ETT	0.00
2060 Accrued SWH/SDI	0.00
2065 Deferred Revenue - DOC/AB939	35,000.72
2070 Deferred Revenue - OPP	33,442.57
2071 Deferred Revenue - Tire Grant	0.00
2075 Garnishments Payable	0.00
2076 LT Liability Current Portion	126,688.96
2080 Note Payable - Chase	0.00
24000 Payroll Liabilities	0.00
24001 Garnishment -Weaver	0.00
<b>Total 24000 Payroll Liabilities</b>	<b>0.00</b>
<b>Total Other Current Liabilities</b>	<b>\$346,101.44</b>
<b>Total Current Liabilities</b>	<b>\$1,429,562.37</b>

# Humboldt Waste Management Authority

## Draft Balance Sheet

As of September 30, 2025

	TOTAL
Long-Term Liabilities	
2100 Deferred Inflows - Pension	12,103.00
2105 Accrued Long Term PTO Liability	263,607.10
2110 Landfill Closure Estimated	10,099,276.00
2130 Lease Payable - Financial Pacif	791,013.72
2135 Less Current Portion LT Liability	(126,688.96)
2140 Net Pension Obligation	1,232,062.00
<b>Total Long-Term Liabilities</b>	<b>\$12,271,372.86</b>
<b>Total Liabilities</b>	<b>\$13,700,935.23</b>
Equity	
3000 Opening Balance Equity	0.00
3010 Investment in Capital Assets	3,983,793.07
3030 Prior Period Adjustments	(30,399.40)
3200 Retained Earnings	(5,470,268.00)
Net Income	714,748.83
	<b>NET INCOME REDUCED BY \$193,112.15 YTD RESERVE REPLENISHMENT</b>
<b>Total Equity</b>	<b>\$ (802,125.50)</b>
<b>TOTAL LIABILITIES AND EQUITY</b>	<b>\$12,898,809.73</b>



# Humboldt Waste Management Authority

## Statement of Cash Flows

September 2025

Attachment 2b.1

	TOTAL
<b>OPERATING ACTIVITIES</b>	
Net Income	58,095.32
Adjustments to reconcile Net Income to Net Cash provided by operations:	
1020 Accounts Receivable	(700,469.07)
1045 Prepaid Expenses	9,189.59
1050 Prepaid Insurance	28,327.10
2000 Accounts Payable	66,611.32
2007 2005 Umpqua Bank Visa:Heacock	6,330.90
2008 2005 Umpqua Bank Visa:Schwartz	4,081.66
2009 2005 Umpqua Bank Visa:Keller	(568.52)
2015 Accrued 457 deferrals payable	0.00
2020 Accrued AFLAC	44.34
2022 Accrued Bank Charges	2.71
2025 Accrued CalPERS	0.00
2035 Accrued FWH/MED	0.00
2060 Accrued SWH/SDI	0.00
24001 Payroll Liabilities:Garnishment -Weaver	0.00
<b>Total Adjustments to reconcile Net Income to Net Cash provided by operations:</b>	<b>(586,449.97)</b>
<b>Net cash provided by operating activities</b>	<b>\$ (528,354.65)</b>
<b>INVESTING ACTIVITIES</b>	
1504 Equipment:Landfill	(300,037.15)
1900 Accumulated Depreciation	(67,705.00)
<b>Net cash provided by investing activities</b>	<b>\$ (367,742.15)</b>
<b>FINANCING ACTIVITIES</b>	
2130 Lease Payable - Finanical Pacif	327,834.00
<b>Net cash provided by financing activities</b>	<b>\$327,834.00</b>
<b>NET CASH INCREASE FOR PERIOD</b>	<b>\$ (568,262.80)</b>
Cash at beginning of period	5,727,271.30
<b>CASH AT END OF PERIOD</b>	<b>\$5,159,008.50</b>



# Humboldt Waste Management Authority

## Bill Payment List

September 2025

Attachment 2b.1

DATE	NUM	VENDOR	AMOUNT
1000 Checking - Columbia Bank			
09/01/2025	CBHFHPCROWRB	Valeo Networks	-4,359.73
09/01/2025	BP426	Redheaded Blackbelt	-250.00
09/01/2025	BP428	Blue Shield of California	-42,013.60
09/04/2025	SPACH326	Airgas USA, LLC	-291.22
09/04/2025	100886	B&B Portable Toilets	-411.53
09/04/2025	SPACH327	Amazon Capital Services, Inc.	-55.11
09/04/2025	100883	Picky. Picky, Picky Surplus, Inc	-490.10
09/04/2025	SPACH325	World Oil Environmental Services	-111.00
09/04/2025	100887	Six Rivers Mechanical	-323.31
09/04/2025	100885	Rogers Machinery Company, Inc.	-983.30
09/04/2025	SPACH328	I-5 Tire, Inc.	-747.00
09/04/2025	100884	Holt of California	-1,179.33
09/04/2025	100888	Bettendorf Enterprises, Inc	-994.70
09/01/2025	ACH-013214007	Humana Insurance	-4,311.14
09/10/2025	BP431.1	Mission Linen Supply	-1,066.40
09/10/2025	BP430	Verizon Wireless	-306.72
09/10/2025	M3FRHXQLQL	City of Eureka Water	-842.75
09/10/2025	K45HTXXMRY	City of Eureka Water	-664.59
09/10/2025	BP431.2	Mission Linen Supply	-1,046.16
09/18/2025	BP437	CalPERS	-350.00
09/25/2025	2509102629911	PG&E 724-3	-3,993.51
09/21/2025	21425166	Optimum Business	-440.90
09/18/2025	BP434	Empower	-225.00
09/18/2025	34567	Thumpers Mechanical	-4,012.50
09/17/2025	768371	Humboldt Community Services District	-52.98
09/18/2025	BP443	CalPERS	-7,055.07
09/18/2025	CB05OZECMF05	Valeo Networks	-262.50
09/15/2025	BP442	Valley Pacific Petroleum Services, Inc	-6,237.23
09/07/2025	BP439	Zultys, Inc.	-716.71
09/22/2025	2509052676489	PG&E 550-3	-25.75
09/18/2025	BP445	CalPERS	-1,426.00
09/18/2025	BP444	CalPERS	-7,551.50
09/18/2025	100908	AT&T Calnet	-38.57
09/18/2025	100904	City of Ferndale 939	-1,668.62
09/18/2025	100890	Shafer's Ace Hardware	-78.87
09/18/2025	100906	City of Blue Lake 939	-1,650.56
09/18/2025	100893	Lawrence & Associates	-2,243.75
09/18/2025	100895	Picky. Picky, Picky Surplus, Inc	-784.34
09/18/2025	100896	Mad River Union	-202.00
09/18/2025	100897	North Coast Lock & Key	-578.82
09/18/2025	100894	Eureka Humboldt Fire Extinguisher	-1,534.76
09/18/2025	100902	WM Corporate Services, Inc	-3,208.12
09/18/2025	100889	Advanced Security Systems.	-354.00

# Humboldt Waste Management Authority

## Bill Payment List

September 2025

DATE	NUM	VENDOR	AMOUNT
09/18/2025	100905	City of Rio Dell 939	-837.57
09/18/2025	100892	Humboldt County Public Works Pass Through	-126,669.34
09/18/2025	100903	City of Arcata 939	-5,312.83
09/18/2025	100891	Pierson Building Center	-152.04
09/18/2025	100898	Jamie Corsetti, CPA	-450.00
09/18/2025	100907	Peterson CAT	-2,039.72
09/18/2025	100901	Humboldt County Env Health Pass Through	-66,746.64
09/18/2025	100899	Bettendorf Enterprises, Inc	-994.70
09/18/2025	100900	City of Eureka 939	-6,375.57
09/18/2025	SPACH329	NAPA	-269.88
09/18/2025	SPACH338	Pape Machinery	-677.77
09/18/2025	SPACH332	Clean Harbors Environmental Services	-32,790.00
09/18/2025	SPACH333	Humboldt Organic Solutions, LLC	-50,145.45
09/18/2025	SPACH330	World Oil Environmental Services	-220.00
09/18/2025	SPACH337	Mendes Supply Company	-793.37
09/18/2025	SPACH334	I-5 Tire, Inc.	-1,309.50
09/18/2025	SPACH339	Dry Creek Landfill	-513,155.43
09/18/2025	SPACH336	Paradigm	-8,875.14
09/18/2025	SPACH331	Grainger	-827.19
09/18/2025	SPACH335	Blue Dream HR LLC	-2,100.00
09/30/2025	BP447	Empower	-325.00
09/30/2025	BF9E55	Western Health Advantage	-8,657.95
09/29/2025	2509122310541	PG&E 053-6	-3,700.36
09/26/2025	BP456	CalPERS	-1,476.00
09/26/2025	BP455	Redheaded Blackbelt	-250.00
09/15/2025	BP454	Recology Humboldt County	-225.00
09/26/2025	BP458	CalPERS	-7,016.24
09/26/2025	BP457	CalPERS	-7,668.96
09/26/2025	100910	Humboldt Recycling	-7,320.00
09/26/2025	100912	Humboldt Sanitation	-35,036.30
09/26/2025	100909	B&B Portable Toilets	-411.53
09/26/2025	100920	Law Offices of Nancy Diamond	-25.00
09/26/2025	100916	Picky, Picky, Picky Surplus, Inc	-148.79
09/26/2025	100913	City of Eureka Discharge Fees	-9,240.00
09/26/2025	100918	WM Corporate Services, Inc	-2,738.58
09/26/2025	100911	Lost Coast Communications, Inc	-750.00
09/26/2025	100914	Rogers Machinery Company, Inc.	-3,252.46
09/25/2025	083125-CC	Columbia Bank	-1,971.58
09/26/2025	100919	Copiers Plus	-248.72
09/26/2025	100922	Pacific Paper Co.	-45.53
09/26/2025	100917	Peterson CAT	-85.71
09/26/2025	100915	James L. Able Forestry Consultants, Inc	-250.00
09/26/2025	SPACH344	Airgas USA, LLC	-2,322.29
09/26/2025	SPACH342	Amazon Capital Services, Inc.	-124.59
09/26/2025	SPACH340	Gallagher Benefit Services, Inc.	-6,600.00

# Humboldt Waste Management Authority

## Bill Payment List

September 2025

DATE	NUM	VENDOR	AMOUNT
09/26/2025	SPACH343	Restif Cleaning Service Cooperative, Inc.	-500.00
09/26/2025	SPACH345	Streamline	-555.00
09/26/2025	100923	New Directions	-475.00
09/26/2025	SPACH341	I-5 Tire, Inc.	-972.00
<b>Total for 1000 Checking - Columbia Bank</b>			<b>\$ -1,028,274.48</b>
Not Specified			
09/16/2025	22199	Peterson CAT	0.00
09/23/2025	22199	Amazon Capital Services, Inc.	0.00
<b>Total for Not Specified</b>			<b>\$0.00</b>



# Humboldt Waste Management Authority

## Draft A/R Aging Summary

As of September 30, 2025

Attachment 2b.1

	CURRENT	1 - 30	31 - 60	61 AND OVER	TOTAL
707 Pest Solutions	170.95				\$170.95
A & I Roofing	441.98				\$441.98
A-1 Cleaning Service	33.35		(12.00)		\$21.35
Above Board Construction and Roofing	2,351.66				\$2,351.66
Ace Handyman Services - North Coast	12.50				\$12.50
ACGC Inc.	1,113.29				\$1,113.29
Advanced Security Systems	70.89				\$70.89
Alchemy Construction Inc.	217.53				\$217.53
Alves Inc.	2,802.65				\$2,802.65
Arbco Construction	87.56				\$87.56
Arcata Bay Self Storage	112.58				\$112.58
Arcata Marsh Research Institute			8.00		\$8.00
Arnold's Family Construction LLC	400.28	231.42	185.54		\$817.24
Arrow Property Management	89.64				\$89.64
Arts Roofing LLC	8,294.50				\$8,294.50
Asbestos Management Group of CA		961.09			\$961.09
Ayres Enterprises	58.37	12.50			\$70.87
Barry Smith Construction	95.90				\$95.90
Beacom Construction	489.92				\$489.92
Bedliners Plus	227.24				\$227.24
Best Address Properties	20.85		0.01		\$20.86
Bethel Church	60.46				\$60.46
Bettendorff Trucking - Shop	112.58				\$112.58
Bigfoot Construction Inc.	137.97				\$137.97
Black Diamond Construction	274.78				\$274.78
Blackwell Construction	551.51				\$551.51
Blossom Landscaping & Handyman Service	1,900.85	304.92			\$2,205.77
Blue Lake Enterprises	14.59				\$14.59
Blue Sky Roofer		1,415.58			\$1,415.58
Bode Construction	430.62				\$430.62
Broadway Trailer Park		200.14			\$200.14
Buddy's Auto Center	654.63				\$654.63
Bureau of Land Management Arcata	61.12		19.00	16.00	\$96.12
Cal Poly Humboldt	186.28				\$186.28
Cal Poly Humboldt- Garbage	11,604.02	4,813.82	5,439.25		\$21,857.09
Campton Electric			150.39		\$150.39
Carpet Depot	446.24				\$446.24
CDH Painting	58.37				\$58.37
Century Service Center	931.90				\$931.90
Chris Lehto Electric	182.98				\$182.98
Chris Rutter Construction	44.94				\$44.94
City of Eureka - Code Enforcement	18.76				\$18.76
City of Eureka - Facilities	37.52	41.69			\$79.21
City of Eureka - Harbor	25.00				\$25.00
City of Eureka - Parks	816.50				\$816.50

# Humboldt Waste Management Authority

## Draft A/R Aging Summary

As of September 30, 2025

	CURRENT	1 - 30	31 - 60	61 AND OVER	TOTAL
City of Eureka - Sewer Collections		1,628.23			\$1,628.23
City of Eureka - Streets	1,527.69				\$1,527.69
City of Eureka - Uplift Eureka	168.87				\$168.87
City of Eureka - Waste Water Treatment		204.30			\$204.30
City of Eureka-Engineering	537.88	2,445.86			\$2,983.74
Clayton Construction	208.48				\$208.48
CM Construction	2,562.59				\$2,562.59
Coast Seafoods Company	112.58				\$112.58
Coastal Co Builders	97.11				\$97.11
Colburn Electric	796.62				\$796.62
Cook Properties	102.15				\$102.15
Cottage Construction	139.68	194.26	(22.93)		\$311.01
Craig Mayberry	45.87				\$45.87
Craig Spjut	75.82	12.66			\$88.48
Curb Appeal Construction	996.13				\$996.13
Cutten Schools	18.76				\$18.76
Dale Edge Construction	60.46				\$60.46
David Allen Construction	485.71				\$485.71
Del Reka	37.53	35.44			\$72.97
Delta Mattress & Sofa Outlet	125.66				\$125.66
Dennis Byrd Construction	106.32				\$106.32
Developed Employment Services	203.30	39.89	110.04		\$353.23
Diamond Drywall	402.37		31.27	265.52	\$699.16
DMC Home Building Inc.	684.18				\$684.18
DS Construction		239.75			\$239.75
Duncan Electric	127.11	27.09			\$154.20
Earth Care Landscaping	75.04				\$75.04
Eel River Transportation & Salvage	213.00				\$213.00
Ellena Construction	12.50				\$12.50
Emerald Custom Construction	95.90	39.61			\$135.51
Emerald Forest Cabins & RV	369.01				\$369.01
Equity Building	131.34				\$131.34
Eric Finkle	131.71				\$131.71
Eureka City Schools	7,961.26				\$7,961.26
Eureka Floor Carpet One	302.30				\$302.30
Eureka Glass Co. Inc.	104.23				\$104.23
Eureka Housing Authority	403.50				\$403.50
Eureka Overhead Door Company	483.67				\$483.67
Eureka Rehabilitation & Wellness				(15.00)	\$ (15.00)
Eureka Rescue Mission	596.25				\$596.25
Eureka the Pentecostal Church	23.00				\$23.00
Eureka Vacation Rentals Inc.	9.50				\$9.50
Evans Mechanical	47.94				\$47.94
Evergreen Landscape	177.20	175.13	56.06		\$408.39
Extremely Floored	1.51				\$1.51

# Humboldt Waste Management Authority

## Draft A/R Aging Summary

As of September 30, 2025

	CURRENT	1 - 30	31 - 60	61 AND OVER	TOTAL
Figas Construction	694.23				\$694.23
Fitz It Right Plumbing	673.25	277.21	141.75		\$1,092.21
Forbes Cabinets	408.61				\$408.61
Forest Builder 707	177.21				\$177.21
Francis Carrington	62.54				\$62.54
Frazier Rental & Development	271.87				\$271.87
Fryes Care Home	112.40				\$112.40
Furniture Design Center	500.33				\$500.33
G M Pavlich	66.72				\$66.72
Genevieve Schmidt	19.00				\$19.00
Genuine Junk and Haul	1,193.08				\$1,193.08
Glendale Mobile Estates	106.32				\$106.32
GR Sundberg Inc.	275.19				\$275.19
Great Redwood Trail Agency	79.22				\$79.22
Hamanaka Painting	389.85				\$389.85
Handle It Junk Removal	2,859.96				\$2,859.96
HCAR	71.00				\$71.00
Hemmingsen Pavement Solutions	64.63				\$64.63
Hooven & Co.	635.87				\$635.87
Houseworth Construction	68.80				\$68.80
Housing Humboldt	148.39				\$148.39
Hubbards German Auto	280.25				\$280.25
Humboldt Bay Harbor District	632.25				\$632.25
Humboldt Bay Water District	311.78				\$311.78
Humboldt Community Service District	50.04				\$50.04
Humboldt Countertops	387.76	550.39			\$938.15
Humboldt County Animal Shelter	131.34				\$131.34
Humboldt County Building Maintenance		89.11			\$89.11
Humboldt County DHHS	148.02				\$148.02
Humboldt County Parks	2,277.65	2,234.19	3,417.17		\$7,929.01
Humboldt County Roads	63.00				\$63.00
Humboldt Electric	25.02				\$25.02
Humboldt Mechanical Solutions	114.66				\$114.66
Humboldt Moving & Storage	182.71	108.40			\$291.11
Humboldt Sanitation & Recycling	99,594.74	(0.01)		(54.00)	\$99,540.73
Humboldt Transit Authority	70.88				\$70.88
Island State Construction	85.47				\$85.47
J & G Lawn and Garden	706.07	159.89	426.04		\$1,292.00
J & J Rentals	925.62				\$925.62
Jacoby Creek School	49.07				\$49.07
James Poovey	205.31				\$205.31
Janowski Builders	24.09				\$24.09
JDS Construction				394.44	\$394.44
Jim Groeling & Associates	20.85				\$20.85
Jitter Bean Coffee Co.	41.68				\$41.68

# Humboldt Waste Management Authority

## Draft A/R Aging Summary

As of September 30, 2025

	CURRENT	1 - 30	31 - 60	61 AND OVER	TOTAL
JLM Freedom Electric Inc	39.61				\$39.61
JNG Insulation Pros	1,021.56	1,079.92			\$2,101.48
JNM Construction	602.50	162.99			\$765.49
John H Kruger Plaster & Drywall	271.02	348.16			\$619.18
Johnny's Flooring & Window Coverings	2.00				\$2.00
Johns Used Cars		325.23			\$325.23
Johnston Construction	258.52				\$258.52
Juells Electric	25.02				\$25.02
Justin Adams Construction	385.69				\$385.69
K H McKenny	510.77				\$510.77
Karges Flooring	139.68				\$139.68
Ken & Lesa Shealor	87.92				\$87.92
Kramer Investment Corp.	271.03				\$271.03
Landscaping Ventures Inc.	415.91	536.74	3,950.37	1,122.55	\$6,025.57
Lawn Care Plus	522.68				\$522.68
LDH Construction	118.83				\$118.83
Lefevre General Contractor	40.92				\$40.92
Living Styles	145.94				\$145.94
LJG BUILDERS LLC	1,527.04	557.56	366.91		\$2,451.51
Lost Coast Brewery & Cafe	89.65				\$89.65
Lost Coast Rentals		24.47			\$24.47
Mad River Construction	143.85				\$143.85
Making Headway Center	350.25	273.11			\$623.36
Martin Bros Construction	131.34				\$131.34
Martin Construction	5,475.84	1,833.86	185.55	250.14	\$7,745.39
Mattress Recycling Council	7,442.29		4,612.86		\$12,055.15
McCrea Motors	135.52				\$135.52
McCullough Construction	454.49				\$454.49
McMurray & Sons Inc.	16,622.10				\$16,622.10
Milgard Manufacturing LLC - Sacramento	212.65				\$212.65
Ming Tree Realtors	45.87	156.36			\$202.23
Miriam Hall	50.04				\$50.04
Moores Sleepworld	268.65				\$268.65
Moranda Rentals		43.78			\$43.78
Munson Investments	1,217.86		33.36		\$1,251.22
Myrtle town Body Shop	43.78				\$43.78
Nelson Floors	2.00				\$2.00
New Century Yard Maintenance	144.06				\$144.06
New Life Service Company	1,448.93				\$1,448.93
Next Generation Landscape & Design	325.23				\$325.23
Nichols Handy Work		(0.68)			\$(0.68)
Nick Frank	18.76				\$18.76
North Coast Fabricators	241.84				\$241.84
North Coast Flooring Inc.	1,101.08				\$1,101.08
Northcoast Acoustics	97.95				\$97.95

# Humboldt Waste Management Authority

## Draft A/R Aging Summary

As of September 30, 2025

	CURRENT	1 - 30	31 - 60	61 AND OVER	TOTAL
Northcoast Childrens Service	45.91	118.83			\$164.74
Northcoast Environmental Construction	116.75				\$116.75
Northern Building Company	668.24				\$668.24
Ocean View Cemetery	650.46				\$650.46
Pacific Builders	567.59	204.68	(129.25)		\$643.02
Pacific Coast Rentals	239.73				\$239.73
Pacific Towing	254.35				\$254.35
Parks Enterprise	704.57				\$704.57
Patricia Craig Rentals	27.09				\$27.09
Pierson Company	658.73				\$658.73
Point Pleasant MHP	335.65				\$335.65
Poletskis Appliance Center	100.07	64.63			\$164.70
Porter and Sons Painting	477.41				\$477.41
Primo Drywall & Construction Co.	304.39				\$304.39
Providence St. Josephs Hospital	144.00				\$144.00
Pure Water Spas	70.88				\$70.88
Quality Body Works	256.42				\$256.42
Quick Mow	90.23				\$90.23
Rainbow Self Storage	1,561.97				\$1,561.97
Ray Wolfe Construction	172.54				\$172.54
Recology Eel River	198,546.25				\$198,546.25
Recology of Arcata	170,629.19	99,928.23			\$270,557.42
Recology of Humboldt County	503,454.09	307,589.24			\$811,043.33
Recology Samoa	53,351.01	36,638.74			\$89,989.75
Redwood Acres Fair Grounds	337.74				\$337.74
Redwood Coast Plumbing	31.27		237.67		\$268.94
Redwood Coast Real Estate Inc.	114.65	(13.46)			\$101.19
Redwood Community Action Agency	95.00		4.61		\$99.61
Redwood Teen Challenge	271.90				\$271.90
Rentor	441.88				\$441.88
Resources Recycling & Recovery	402.40				\$402.40
Restif Cleaning Service	143.85				\$143.85
Revival Home Builders Inc.	540.09				\$540.09
RG Goolsby Construction	95.90				\$95.90
RH Construction	239.75	112.58			\$352.33
Rich's Body Shop	31.27				\$31.27
Rob Jordan Construction		37.53			\$37.53
Robert Donathan	64.74				\$64.74
Ross A Nash Remodeling	9.50				\$9.50
S & S Phelps Inc.	547.53	97.99			\$645.52
Sanders Roofing Inc.	4,982.05				\$4,982.05
Sawyer Electric	25.02				\$25.02
Schmidbauer Building Supply LLC.	2,126.06				\$2,126.06
Sempervirens Gardening	788.12				\$788.12
Sequoia Construction	381.51				\$381.51

# Humboldt Waste Management Authority

## Draft A/R Aging Summary

As of September 30, 2025

	CURRENT	1 - 30	31 - 60	61 AND OVER	TOTAL
ServiceMaster	967.35	275.19	1,457.27		\$2,699.81
Sherlock Mini Storage				(12.68)	\$ (12.68)
Simple Visions	1,090.35	248.09			\$1,338.44
Sisu Extracts	1,682.45	562.90			\$2,245.35
Six Rivers Mechanical Inc.	45.85				\$45.85
Soilscapes Solutions LLC	525.37		212.65		\$738.02
Spencer Electric	239.75				\$239.75
Spinks Property Management	108.41				\$108.41
Stetzel Builders				2,132.69	\$2,132.69
Strombeck Construction	2,841.36				\$2,841.36
Susan Whitely / Eric Dugan	349.17				\$349.17
Swains Flat Trailer Court	343.99				\$343.99
T and T Roofing	4,438.54	2,322.41			\$6,760.95
TEMPORARY				494.50	\$494.50
The People of New Directions	278.55	14.59			\$293.14
Thomas Home Center	72.96				\$72.96
Tonis Restaurant	210.56				\$210.56
Tree Ventures Inc.	291.90	31.27	1,607.75	456.72	\$2,387.64
Triad Inc	977.77				\$977.77
Troy Skipper Construction	166.78				\$166.78
Ultimate Building Solutions	110.50				\$110.50
United Building		(0.01)			\$ (0.01)
United Indian Health	152.18				\$152.18
US Fish and Wildlife Service	59.02				\$59.02
Vern McGaughey	1,038.22				\$1,038.22
Vern's Furniture	1,244.86				\$1,244.86
Viltrakis Design Build	275.19		125.09		\$400.28
Wade Bray General Contractor	22.93				\$22.93
Watson Well Service	54.20	35.44			\$89.64
Wayne Maples Plumbing	18.76	43.78			\$62.54
West End Builders Inc.	37.53	36.88	29.19		\$103.60
Westside Community Improvement Assoc.	339.82	239.75	10.00		\$589.57
Williamson Construction	464.90				\$464.90
WSC Solar and Roofing	687.98	283.53			\$971.51
<b>TOTAL</b>	<b>\$1,178,297.34</b>	<b>\$470,656.87</b>	<b>\$22,653.62</b>	<b>\$5,050.88</b>	<b>\$1,676,658.71</b>

70% Current



# Humboldt Waste Management Authority

## Draft A/P Aging Summary

As of September 30, 2025

Attachment 2b.1

	CURRENT	1 - 30	31 - 60	61 AND OVER	TOTAL
Access Humboldt	101.40				\$101.40
Airgas USA, LLC	1,102.19				\$1,102.19
Amazon Capital Services, Inc.	1,314.50				\$1,314.50
AT&T Calnet	38.79				\$38.79
Bettendorf Enterprises, Inc	995.94	995.94			\$1,991.88
Blue Dream HR LLC	2,100.00				\$2,100.00
Blue Shield of California	42,013.60				\$42,013.60
Call2Recycle, Inc.		23,626.24			\$23,626.24
City of Arcata 939	6,611.66				\$6,611.66
City of Blue Lake 939	2,054.07				\$2,054.07
City of Eureka 939	8,423.15				\$8,423.15
City of Eureka Discharge Fees	9,180.00				\$9,180.00
City of Eureka Water	1,462.80				\$1,462.80
City of Ferndale 939	2,076.54				\$2,076.54
City of Rio Dell 939	1,347.92				\$1,347.92
Clean Harbors Environmental Services	43,155.00				\$43,155.00
Dry Creek Landfill	503,497.48				\$503,497.48
Edgar & Associates, Inc	2,012.50				\$2,012.50
Eureka Times Standard				(5.00)	\$ (5.00)
Hensell Materials.	132.30				\$132.30
Humana Insurance	4,311.14				\$4,311.14
Humboldt Community Services District	54.31				\$54.31
Humboldt County DHHS CUPA Fees	10,822.64				\$10,822.64
Humboldt County Env Health Pass Through	73,092.98				\$73,092.98
Humboldt County Public Works Pass Through	149,240.59				\$149,240.59
Humboldt Organic Solutions, LLC	52,246.56				\$52,246.56
Humboldt Recycling	31,991.54				\$31,991.54
Humboldt Sanitation	16,424.30				\$16,424.30
Industrial Electric			94.01	5,265.12	\$5,359.13
James L. Able Forestry Consultants, Inc	582.50				\$582.50
Jamie Corsetti, CPA	850.00				\$850.00
Law Offices of Nancy Diamond	1,548.25				\$1,548.25
Lawrence & Associates	1,257.50				\$1,257.50
Lost Coast Communications, Inc	750.00				\$750.00
Mad River Union	202.00				\$202.00
McMaster-Carr Supply Company	2,525.29				\$2,525.29
Mendes Supply Company	592.61				\$592.61
Microbac Laboratories, Inc	814.00				\$814.00
Miller Farms Nursery, Inc	69.24				\$69.24
Mission Linen Supply	2,112.56				\$2,112.56
New Directions	855.00				\$855.00
North Coast Unified Air Quality Management	3,331.42				\$3,331.42
Pacific Paper Co.	18.64				\$18.64
Peterson CAT	191.36				\$191.36
Picky. Picky, Picky Surplus, Inc	992.14				\$992.14

# Humboldt Waste Management Authority

## Draft A/P Aging Summary

As of September 30, 2025

	CURRENT	1 - 30	31 - 60	61 AND OVER	TOTAL
Rain for Rent		1,182.38			\$1,182.38
Recology Humboldt County	225.00				\$225.00
Recology Humboldt County Samoa	4,652.15	3,924.72	5,208.87		\$13,785.74
Restif Cleaning Service Cooperative, Inc.	500.00				\$500.00
Rogers Machinery Company, Inc.	930.85				\$930.85
SDRMA	1,025.09				\$1,025.09
Shafer's Ace Hardware	30.84				\$30.84
SWANA Legislative Task Force	1,000.00				\$1,000.00
Valeo Networks	4,359.73				\$4,359.73
Valley Pacific Petroleum Services, Inc	6,992.12				\$6,992.12
Verizon Wireless	306.88				\$306.88
WM Corporate Services, Inc	2,632.56				\$2,632.56
World Oil Environmental Services	111.00				\$111.00
WSP USA, Inc	25,597.83				\$25,597.83
<b>TOTAL</b>	<b>\$1,030,860.46</b>	<b>\$29,729.28</b>	<b>\$5,302.88</b>	<b>\$5,260.12</b>	<b>\$1,071,152.74</b>

**96% Current**



HUMBOLDT WASTE  
MANAGEMENT AUTHORITY

***Staff Report***

**DATE:** January 2, 2026.

For Meeting of: January 8, 2026

**FROM:** Hilary Schwartz, Director of Finance

**SUBJECT:** Item 2c)  
Receive Draft October 2025 Financial Reports

**RECOMMENDED ACTION:** Voice Vote

- 1) Review and Approve Draft October 2025 Financial Reports

**DISCUSSION:**

**Background:**

Each month, staff presents an update on the Authority's financials based on activity to-date for the current month. This enables staff to provide a complete presentation of the full financial activity for that period, as financial data will have been recorded and finalized for the reporting period at that point.

Each year, pending the finalization of the Authority's financial audit, these financial reports are presented as *preliminary* financial reports. Once the audit is finalized and staff closes the prior fiscal year, information presented will represent accurate to-date financial activity and will be marked as such.

The Authority's cash position is comprised of seven accounts: 1) the Authority's checking account, which handles the day-to-day expenses; 2) the Operating Reserve investment account; 3) the Cummings Road Landfill Pledge of Revenue investment account; 4) the Capital Improvement investment account; 5) the Employee Benefits investment account; 6) the Rate Stabilization investment account; and 7) the Long-Term Funding investment account. Together, the balances in these accounts constitute the total cash available to the Authority for reserves and operating activities. The current balances of the Authority's operating and investment accounts as of October 31, 2025, are as follows:

1)	Cash on hand	\$	3,186,412.37
2)	Operating Reserve	\$	1,497,231.47
3)	CRL Pledge of Revenue	\$	185,140.32
4)	Capital Improvement Fund	\$	921,909.37
5)	Employee Benefit Fund	\$	150,000.00
6)	Rate Stabilization Fund	\$	400,000.00
7)	Long-Term Funding	\$	256,768.93

**Authority Financials:**

Attachment 2c.1 contains the draft October 2025 financial reports, for board review and discussion. An analysis of that information as it relates to revenues and expenses, and current month disbursements to vendors and employees, is provided herein.

**Revenues:**

Revenues for October 2025 performed at approximately 3.38% above budget estimates for Fiscal Year 2025-26. These estimates encapsulate all activity throughout the Authority, although finances will be influenced by future payouts of fees passed through to Member Agencies, revenue shares for salvaged materials sales, and the delayed receipt of grant revenues for grant-based projects. In October 2025, all the Authority's solid waste revenue streams were higher than budget projections. The Authority's invested reserves earned \$9,185.86 interest in October 2025.

Staff continues to monitor diversion programs in terms of not only cost, but self-sustaining viability. At present, all divisions are fully funded from self-sustaining revenues or fees passed through from Self-Haul, Franchise, and Satellite facility tipping fees.

**Expenses:**

Operating expenses for October 2025 were approximately 9.48% below budget estimates, including expenses related to depreciation of Authority assets, and quarterly payments to Member Agencies for pass-through payments. In October 2025, annual training and security costs were above budget estimates, while repair and maintenance costs remained below budget estimates.

Staff continues to maintain strong control of ongoing expenses, with particular attention to quarterly trends as the mid-year budget review approaches.

Monthly disbursements to Authority vendors and employees are summarized in Attachment 2c.1 (*Statement of Cash Flow*) for the month of October 2025. These disbursements are comprised primarily of day-to-day costs, representing \$531,933.86 in transportation and disposal costs, \$283,410.06 in payroll and employee benefit costs, and \$1,994.02 in pass-through allocations to member agencies.

**Staff's Recommendation:**

Staff recommends the board review and approve the draft October 2025 Financial Reports.

**Attachments:**

- 2c.1) Draft October 2025 Financial Reports



# Humboldt Waste Management Authority

## Draft Balance Sheet

As of October 31, 2025

Attachment 2c.1

	TOTAL
<b>ASSETS</b>	
Current Assets	
Bank Accounts	
1000 Checking - Columbia Bank	3,954,697.61
1001 CRL Pledge-8913	177,877.57
1002 Rate Reserve-6008	773,218.84
1003 CIP-3488	925,087.86
1004 LAIF	765,604.14
1010 Petty Cash (deleted)	138.25
1015 Change Bank	5,500.00
<b>Total Bank Accounts</b>	<b>\$6,602,124.27</b>
Accounts Receivable	
1020 Accounts Receivable	588,869.97
1030 Allowance for Doubtful Accounts	0.00
<b>Total Accounts Receivable</b>	<b>\$588,869.97</b>
Other Current Assets	
1025 A/R - Other	0.00
1045 Prepaid Expenses	73,516.64
1050 Prepaid Insurance	226,616.79
1055 Undeposited Funds	1,353.51
Due from Other Governments	0.00
<b>Total Other Current Assets</b>	<b>\$301,486.94</b>
<b>Total Current Assets</b>	<b>\$7,492,481.18</b>
Fixed Assets	
1100 Land - Admin	2,809,139.62
1200 Land Improvements	
1201 Admin	1,468,543.91
1202 Transfer Station	903,375.59
1203 HHW	7,050.00
1204 Landfill	32,506.91
1205 Organics	15,696.00
<b>Total 1200 Land Improvements</b>	<b>2,427,172.41</b>
1300 Buildings	
1301 Admin	0.00
1302 Transfer Station	2,632,084.25
1303 HHW	300,742.17
1305 Organics	9,642.53
<b>Total 1300 Buildings</b>	<b>2,942,468.95</b>

# Humboldt Waste Management Authority

## Draft Balance Sheet

As of October 31, 2025

	TOTAL
1400 Building Improvements	
1401 Admin	50,076.58
1402 Transfer Station*	382,173.63
1403 HHW	218,564.55
1404 Landfill	24,068.95
1405 Organics	64,371.90
<b>Total 1400 Building Improvements</b>	<b>739,255.61</b>
1500 Equipment	
1501 Admin	40,398.50
1502 Transfer Station*	1,880,566.00
1503 HHW	89,463.99
1504 Landfill	703,903.02
1505 Organics	151,157.65
1507 Programs	0.00
<b>Total 1500 Equipment</b>	<b>2,865,489.16</b>
1600 Office Equipment	
1601 Admin	19,045.66
1605 Organics	0.00
<b>Total 1600 Office Equipment</b>	<b>19,045.66</b>
1700 Vehicles	
1701 Admin	28,790.62
1702 Transfer Station*	13,576.24
1703 HHW	46,079.18
1704 Landfill	48,292.28
<b>Total 1700 Vehicles</b>	<b>136,738.32</b>
1800 Software	
1801 Admin	69,573.89
<b>Total 1800 Software</b>	<b>69,573.89</b>
1900 Accumulated Depreciation	(7,091,107.71)
<b>Total Fixed Assets</b>	<b>\$4,917,775.91</b>
Other Assets	
1035 Deferred Outflows - Pension	666,383.00
1910 Waste Authority Permit	221,171.00
1920 Land Purchase Option - CRBAS	0.00
<b>Total Other Assets</b>	<b>\$887,554.00</b>
<b>TOTAL ASSETS</b>	<b>\$13,297,811.09</b>

# Humboldt Waste Management Authority

## Draft Balance Sheet

As of October 31, 2025

	TOTAL
<b>LIABILITIES AND EQUITY</b>	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 Accounts Payable	1,246,138.84
<b>Total Accounts Payable</b>	<b>\$1,246,138.84</b>
Credit Cards	
2005 2005 Umpqua Bank Visa	0.00
2006 Unassigned	0.00
2007 Heacock	7,930.53
2008 Schwartz	(73.17)
2009 Keller	0.00
<b>Total 2005 2005 Umpqua Bank Visa</b>	<b>7,857.36</b>
<b>Total Credit Cards</b>	<b>\$7,857.36</b>
Other Current Liabilities	
2010 Accounts Payable - Other	0.00
2015 Accrued 457 deferrals payable	0.00
2020 Accrued AFLAC	316.75
2022 Accrued Bank Charges	4,557.51
2025 Accrued CalPERS	0.00
2026 UAL CalPERS	0.00
2030 Accrued CalPERS - Clearing	0.00
2035 Accrued FWH/MED	0.00
2040 Accrued Payroll	0.00
2045 Accrued PR Taxes	0.00
2050 Accrued PTO Current Portion	145,868.32
2055 Accrued SUI/ETT	0.00
2060 Accrued SWH/SDI	0.00
2065 Deferred Revenue - DOC/AB939	35,000.72
2070 Deferred Revenue - OPP	33,442.57
2071 Deferred Revenue - Tire Grant	0.00
2075 Garnishments Payable	0.00
2076 LT Liability Current Portion	126,688.96
2080 Note Payable - Chase	0.00
24000 Payroll Liabilities	0.00
24001 Garnishment -Weaver	0.00
<b>Total 24000 Payroll Liabilities</b>	<b>0.00</b>
<b>Total Other Current Liabilities</b>	<b>\$345,874.83</b>
<b>Total Current Liabilities</b>	<b>\$1,599,871.03</b>

# Humboldt Waste Management Authority

## Draft Balance Sheet

As of October 31, 2025

	TOTAL
Long-Term Liabilities	
2100 Deferred Inflows - Pension	12,103.00
2105 Accrued Long Term PTO Liability	263,607.10
2110 Landfill Closure Estimated	10,099,276.00
2130 Lease Payable - Financial Pacif	780,563.43
2135 Less Current Portion LT Liability	(126,688.96)
2140 Net Pension Obligation	1,232,062.00
<b>Total Long-Term Liabilities</b>	<b>\$12,260,922.57</b>
<b>Total Liabilities</b>	<b>\$13,860,793.60</b>
Equity	
3000 Opening Balance Equity	0.00
3010 Investment in Capital Assets	3,983,793.07
3030 Prior Period Adjustments	(30,399.40)
3200 Retained Earnings	(5,470,268.00)
Net Income	953,891.82
	<b>NET INCOME REDUCED BY \$257,110.02 YTD RESERVE REPLENISHMENT</b>
<b>Total Equity</b>	<b>\$ (562,982.51)</b>
<b>TOTAL LIABILITIES AND EQUITY</b>	<b>\$13,297,811.09</b>



# Humboldt Waste Management Authority

## Statement of Cash Flows

October 2025

Attachment 2c.1

	TOTAL
<b>OPERATING ACTIVITIES</b>	
Net Income	239,142.99
Adjustments to reconcile Net Income to Net Cash provided by operations:	
1020 Accounts Receivable	1,090,321.64
1045 Prepaid Expenses	9,189.59
1050 Prepaid Insurance	28,327.10
2000 Accounts Payable	174,986.10
2007 2005 Umpqua Bank Visa:Heacock	(1,229.70)
2008 2005 Umpqua Bank Visa:Schwartz	(3,221.13)
2015 Accrued 457 deferrals payable	0.00
2020 Accrued AFLAC	0.00
2022 Accrued Bank Charges	(226.61)
2025 Accrued CalPERS	0.00
2035 Accrued FWH/MED	0.00
2060 Accrued SWH/SDI	0.00
24001 Payroll Liabilities:Garnishment -Weaver	0.00
<b>Total Adjustments to reconcile Net Income to Net Cash provided by operations:</b>	<b>1,298,146.99</b>
<b>Net cash provided by operating activities</b>	<b>\$1,537,289.98</b>
<b>INVESTING ACTIVITIES</b>	
1504 Equipment:Landfill	(82,370.41)
<b>Net cash provided by investing activities</b>	<b>\$ (82,370.41)</b>
<b>FINANCING ACTIVITIES</b>	
2130 Lease Payable - Finanical Pacif	(10,450.29)
<b>Net cash provided by financing activities</b>	<b>\$ (10,450.29)</b>
<b>NET CASH INCREASE FOR PERIOD</b>	<b>\$1,444,469.28</b>
Cash at beginning of period	5,159,008.50
<b>CASH AT END OF PERIOD</b>	<b>\$6,603,477.78</b>



# Humboldt Waste Management Authority

## Bill Payment List

October 2025

Attachment 2c.1

DATE	NUM	VENDOR	AMOUNT
1000 Checking - Columbia Bank			
10/10/2025	5V4WP6HFFX	City of Eureka Water	-664.59
10/01/2025	BP450	Blue Shield of California	-42,013.60
10/10/2025	PRK7H7TP3J	City of Eureka Water	-798.21
10/01/2025	CBIVC7HLMGDM	Valeo Networks	-4,359.73
10/09/2025	100924	Mad River Union	-202.00
10/09/2025	100926	Advanced Security Systems.	-1,259.04
10/09/2025	100927	Industrial Electric	-5,359.13
10/09/2025	100925	Rogers Machinery Company, Inc.	-930.85
10/09/2025	100928	Bettendorf Enterprises, Inc	-995.94
10/10/2025	BP459	Mission Linen Supply	-1,046.16
10/10/2025	BP460	Verizon Wireless	-306.88
10/10/2025	BP459.2	Mission Linen Supply	-1,066.40
10/09/2025	SPACH346	Amazon Capital Services, Inc.	-1,343.14
10/09/2025	SPACH347	World Oil Environmental Services	-111.00
10/09/2025	SPACH348	Mendes Supply Company	-592.61
10/01/2025	BP461	Zultys, Inc.	-717.50
10/15/2025	D-331095-101425	Valley Pacific Petroleum Services, Inc	-6,992.12
10/15/2025	556184	Humboldt Community Services District	-54.31
10/01/2025	ACH-013214008	Humana Insurance	-4,311.14
10/21/2025	266137	Optimum Business	-440.90
10/20/2025	2510044184959	PG&E 550-3	-26.26
10/16/2025	SPACH349	Airgas USA, LLC	-1,102.19
10/16/2025	SPACH351	Humboldt Organic Solutions, LLC	-52,246.56
10/16/2025	SPACH350	Rain for Rent	-1,182.38
10/16/2025	SPACH352	Blue Dream HR LLC	-2,100.00
10/16/2025	100934	AT&T Calnet	-38.79
10/16/2025	100936	McMaster-Carr Supply Company	-2,525.29
10/16/2025	100929	Hensell Materials.	-132.30
10/16/2025	100938	Miller Farms Nursery, Inc	-69.24
10/16/2025	100935	Lawrence & Associates	-1,257.50
10/16/2025	100932	Picky. Picky, Picky Surplus, Inc	-545.66
10/16/2025	100937	WM Corporate Services, Inc	-2,632.56
10/16/2025	100930	Access Humboldt	-101.40
10/16/2025	100933	New Directions	-855.00
10/16/2025	100939	Jamie Corsetti, CPA	-850.00
10/16/2025	100931	North Coast Unified Air Quality Management	-3,331.42
10/23/2025	BP467	Empower	-325.00
10/15/2025	BP469	Recology Humboldt County	-225.00
10/27/2025	2510113700511	PG&E 053-6	-3,425.18
10/15/2025	BP470	AFLAC	-633.50
10/23/2025	SPACH353	Airgas USA, LLC	-316.99
10/23/2025	SPACH356	Gallagher Benefit Services, Inc.	-6,600.00
10/23/2025	SPACH355	SDRMA	-1,025.09
10/23/2025	SPACH358	Restif Cleaning Service Cooperative, Inc.	-500.00

# Humboldt Waste Management Authority

## Bill Payment List

October 2025

DATE	NUM	VENDOR	AMOUNT
10/23/2025	SPACH357	Streamline	-305.00
10/23/2025	SPACH354	United Rentals	-466.54
10/23/2025	SPACH359	Dry Creek Landfill	-500,497.48
10/24/2025	2510092523129	PG&E 724-3	-3,480.26
10/23/2025	BP473	CalPERS	-1,676.00
10/23/2025	BP475	CalPERS	-7,927.65
10/23/2025	BP474	CalPERS	-7,015.51
10/23/2025	100953	Humboldt Recycling	-3,680.00
10/23/2025	100952	Shafer's Ace Hardware	-30.84
10/23/2025	100948	Law Offices of Nancy Diamond	-1,548.25
10/23/2025	100940	Picky. Picky, Picky Surplus, Inc	-446.48
10/23/2025	100941	North Coast Lock & Key	-402.41
10/23/2025	100943	Six Rivers Mechanical	-937.36
10/23/2025	100949	Lost Coast Communications, Inc	-750.00
10/23/2025	100945	SWANA Legislative Task Force	-1,000.00
10/23/2025	100954	Copiers Plus	-164.27
10/23/2025	100944	Pacific Paper Co.	-18.64
10/23/2025	100951	Pierson Building Center	-199.47
10/23/2025	100947	Peterson CAT	-3,574.79
10/23/2025	100946	Bettendorf Enterprises, Inc	-995.94
10/23/2025	100942	James L. Able Forestry Consultants, Inc	-582.50
10/23/2025	100950	Humboldt County DHHS CUPA Fees	-10,822.64
10/30/2025	BP486	Redheaded Blackbelt	-250.00
10/31/2025	BP488	Western Health Advantage	-6,267.88
10/25/2025	BP491	Columbia Bank	-11,883.19
<b>Total for 1000 Checking - Columbia Bank</b>			<b>\$ -720,535.66</b>
Not Specified			
10/14/2025	VC-PR030025600	Peterson CAT	0.00
10/24/2025	To print	Peterson CAT	0.00
10/30/2025	VC53539346 / 421	McMaster-Carr Supply Company	0.00
10/24/2025	VC-PR030025636	Peterson CAT	0.00
<b>Total for Not Specified</b>			<b>\$0.00</b>



# Humboldt Waste Management Authority

## Draft A/R Aging Summary

As of October 31, 2025

Attachment 2c.1

	CURRENT	1 - 30	31 - 60	61 AND OVER	TOTAL
707 Pest Solutions	527.46				\$527.46
A & I Roofing	454.49				\$454.49
A-1 Cleaning Service				(12.00)	\$ (12.00)
Abercrombie Construction	350.24				\$350.24
Above Board Construction and Roofing	2,670.53				\$2,670.53
Ace Handyman Services - North Coast	20.85				\$20.85
ACGC Inc.	1,826.00				\$1,826.00
Alchemy Construction Inc.	200.28				\$200.28
Alves Inc.		2,802.65			\$2,802.65
Anderson Construction	22.93				\$22.93
Arbco Construction			87.56		\$87.56
Arnold's Family Construction LLC	112.58				\$112.58
Arts Roofing LLC	8,621.03				\$8,621.03
Asbestos Management Group of CA			961.09		\$961.09
Ayres Enterprises	22.93	58.37	12.50		\$93.80
Beacom Construction	93.82				\$93.82
Bedliners Plus	210.57				\$210.57
Berg Rentals	45.87				\$45.87
Best Address Properties		20.85		0.01	\$20.86
Bethel Church	43.78				\$43.78
Bettendorff Trucking - Shop	285.62				\$285.62
Bigfoot Construction Inc.	396.11				\$396.11
Blackwell Construction	431.92	551.51			\$983.43
Blossom Landscaping & Handyman Service	812.65	1,393.32	812.45		\$3,018.42
Blue Lake Enterprises	29.19				\$29.19
Blue Sky Roofer	233.50		1,415.58		\$1,649.08
Bluestone Landscapes	64.63				\$64.63
Bob White Electric	18.76				\$18.76
Bode Construction	312.84				\$312.84
Branch Ranch Building Co.	42.74				\$42.74
Broadway Trailer Park	460.74				\$460.74
Buddy's Auto Center	2,251.58				\$2,251.58
Bureau of Land Management Arcata		40.27	20.85	35.00	\$96.12
Cal Poly Humboldt		77.50			\$77.50
Cal Poly Humboldt- Garbage	9,840.26	3,408.65			\$13,248.91
Campton Electric				150.39	\$150.39
Carpet Depot	725.50				\$725.50
Carter & Company	39.60				\$39.60
Caughey Properties	14.59				\$14.59
CDH Painting	33.36				\$33.36
Century Service Center	758.88				\$758.88
Chris Rutter Construction	56.29				\$56.29
Ciraulo Plumbing Services	25.02				\$25.02
City of Eureka - Code Enforcement	233.50				\$233.50
City of Eureka - Facilities	35.44				\$35.44

# Humboldt Waste Management Authority

## Draft A/R Aging Summary

As of October 31, 2025

	CURRENT	1 - 30	31 - 60	61 AND OVER	TOTAL
City of Eureka - Harbor	570.07				\$570.07
City of Eureka - Parks	527.19				\$527.19
City of Eureka - Sewer Collections	6,829.81		1,628.23		\$8,458.04
City of Eureka - Streets	3,005.75	1,518.19			\$4,523.94
City of Eureka - Waste Water Treatment			204.30		\$204.30
City of Eureka-Engineering			2,983.74		\$2,983.74
Clayton Construction		208.48			\$208.48
CM Construction	177.21				\$177.21
Coast Seafoods Company	521.35				\$521.35
Coastal Business Systems Inc.	20.85				\$20.85
Colburn Electric	734.30				\$734.30
Cook Properties	17.41	102.15			\$119.56
Cottage Construction				(22.93)	\$ (22.93)
Craig Mayberry	260.59				\$260.59
CTJ Properties	1,494.80				\$1,494.80
Curb Appeal Construction	1,502.49	996.13			\$2,498.62
Cutten Schools	37.53	18.76			\$56.29
Dale Edge Construction		60.46			\$60.46
David Allen Construction	168.87				\$168.87
DCI Construction	667.13				\$667.13
Del Biaggio Dairy	160.53				\$160.53
Del Reka	83.39				\$83.39
Delta Mattress & Sofa Outlet	434.26				\$434.26
Dennis Byrd Construction	93.82				\$93.82
Developed Employment Services	187.22			102.76	\$289.98
Diamond Drywall	343.98	402.37			\$746.35
DS Construction	237.67		239.75		\$477.42
Duncan Electric	144.44	114.61	39.59		\$298.64
Earth Care Landscaping	35.44				\$35.44
Eel River Transportation & Salvage	344.80				\$344.80
Emerald Custom Construction	62.54	58.37	77.14		\$198.05
Emerald Forest Cabins & RV	412.79				\$412.79
Equity Building	43.78				\$43.78
Eureka City Schools	9,088.77				\$9,088.77
Eureka Floor Carpet One	20.90				\$20.90
Eureka Glass Co. Inc.	139.66				\$139.66
Eureka Housing Authority	811.70				\$811.70
Eureka Humboldt Fire Extinguisher	45.86				\$45.86
Eureka Overhead Door Company	271.00				\$271.00
Eureka Rehabilitation & Wellness				(15.00)	\$ (15.00)
Eureka Rescue Mission	725.51				\$725.51
Eureka the Pentecostal Church	102.59				\$102.59
Eureka Vacation Rentals Inc.	35.75				\$35.75
Evans Mechanical	50.00				\$50.00
Evergreen Landscape	154.71	177.20			\$331.91

# Humboldt Waste Management Authority

## Draft A/R Aging Summary

As of October 31, 2025

	CURRENT	1 - 30	31 - 60	61 AND OVER	TOTAL
Extremely Floored	12.50	1.51			\$14.01
Figas Construction	476.65	694.23			\$1,170.88
Fitz It Right Plumbing	179.23		87.55		\$266.78
Forbes Cabinets	1,075.76				\$1,075.76
Forest Builder 707	527.26				\$527.26
Frazier Rental & Development	360.67				\$360.67
Furniture Design Center	721.34				\$721.34
G M Pavlich	95.89				\$95.89
Genevieve Schmidt	114.90				\$114.90
Genuine Junk and Haul	950.06	1,193.08			\$2,143.14
GR Sundberg Inc.	794.31				\$794.31
Griz Handyman Service	66.71				\$66.71
Hamanaka Painting	206.38				\$206.38
Handle It Junk Removal	1,780.42	2,859.96			\$4,640.38
HCAR	68.08				\$68.08
Hemmingsen Pavement Solutions	25.02	64.63			\$89.65
Henderson Village Apt.	82.22				\$82.22
Hensell Materials	673.39				\$673.39
Hooven & Co.	838.24				\$838.24
Houseworth Construction		68.80			\$68.80
Hubbards German Auto	79.23				\$79.23
Humboldt Bay Harbor District	117.17				\$117.17
Humboldt Bay Water District		145.00			\$145.00
Humboldt Community Service District	20.85				\$20.85
Humboldt Countertops	646.94				\$646.94
Humboldt County Coroner	29.19				\$29.19
Humboldt County DHHS	45.87				\$45.87
Humboldt County Parks	1,876.97	490.56			\$2,367.53
Humboldt County Roads	248.46				\$248.46
Humboldt Mechanical Solutions	102.16				\$102.16
Humboldt Moving & Storage	147.02	74.08	108.40		\$329.50
Humboldt Sanitation & Recycling	96,553.11	(0.52)	(0.01)	(54.00)	\$96,498.58
Humboldt Transit Authority		70.88			\$70.88
Island State Construction	308.55	85.47			\$394.02
J & G Lawn and Garden	368.86	185.22			\$554.08
J & J Rentals	647.37				\$647.37
Jacoby Creek School	47.20				\$47.20
James L Able Forestry	478.00				\$478.00
James Poovey	81.10				\$81.10
Janowski Builders	12.50				\$12.50
JDS Construction				394.44	\$394.44
Jitter Bean Coffee Co.	22.00	41.68			\$63.68
JLM Freedom Electric Inc	39.61				\$39.61
JNG Insulation Pros	1,167.47	748.45	379.43		\$2,295.35
JNM Construction	1,242.49	275.19	490.30		\$2,007.98

# Humboldt Waste Management Authority

## Draft A/R Aging Summary

As of October 31, 2025

	CURRENT	1 - 30	31 - 60	61 AND OVER	TOTAL
John H Kruger Plaster & Drywall	70.88				\$70.88
Johnny's Flooring & Window Coverings	17.40	2.00			\$19.40
Johns Used Cars			325.23		\$325.23
Johnston Construction	53.94	258.52			\$312.46
Joyce Radelich	31.27				\$31.27
Juells Electric	72.69				\$72.69
Justin Adams Construction	195.97	385.69			\$581.66
K H McKenny	260.60				\$260.60
Karges Flooring	89.64		6.25		\$95.89
Ken & Lesa Shealor	80.69				\$80.69
Kolshinski & CO. LLC	79.22				\$79.22
Kramer Investment Corp.	266.86				\$266.86
Landscaping Ventures Inc.		(47.35)			\$ (47.35)
Lawn Care Plus	739.97				\$739.97
LDH Construction	462.83				\$462.83
Living Styles	133.43				\$133.43
LJG BUILDERS LLC	39.61				\$39.61
Lorenzo Properties	5,109.85				\$5,109.85
Lost Coast Brewery & Cafe	120.92				\$120.92
Lost Coast Rentals			24.47		\$24.47
Mad River Construction	141.76				\$141.76
Martin Construction	800.54	5,332.92	1,412.47		\$7,545.93
Matlock Construction	883.96				\$883.96
Mattress Recycling Council	3,812.67	3,315.82	4,126.47	4,612.86	\$15,867.82
McCrea Motors	116.75				\$116.75
McCullough Construction	1,936.79	454.49			\$2,391.28
McMurray & Sons Inc.	18,129.39				\$18,129.39
Milgard Manufacturing LLC - Sacramento	239.75				\$239.75
Ming Tree Realtors	116.75	45.87	156.36		\$318.98
Miriam Hall	38.81				\$38.81
Moores Sleepworld	196.81				\$196.81
Mow-n-Trim	18.76				\$18.76
Munson Investments		1,217.86		33.36	\$1,251.22
Myrtle town Body Shop	138.26				\$138.26
Nelson Floors	258.43	2.00			\$260.43
New Century Yard Maintenance	170.01				\$170.01
New Horizon Drywall Construction	100.07				\$100.07
New Life Service Company	838.09				\$838.09
Next Generation Landscape & Design	141.77				\$141.77
Nichols Handy Work	45.19				\$45.19
Nick Frank	12.50				\$12.50
North Coast Co-Op Arcata	58.37				\$58.37
North Coast Flooring Inc.	506.80				\$506.80
North Coast Mercantile Co. Inc.	36.91				\$36.91
Northcoast Acoustics	65.98				\$65.98

# Humboldt Waste Management Authority

## Draft A/R Aging Summary

As of October 31, 2025

	CURRENT	1 - 30	31 - 60	61 AND OVER	TOTAL
Northcoast Childrens Service	9.25				\$9.25
Northcoast Environmental Construction	156.73				\$156.73
Northern Building Company	706.75				\$706.75
O & M Industries	50.03				\$50.03
Ocean View Cemetery	162.18				\$162.18
Open Door Community Health Center	596.61				\$596.61
Pacific Builders	283.91	513.59	258.68	(129.25)	\$926.93
Pacific Coast Rentals	173.03				\$173.03
Pacific Marine Engineering Inc.	41.70				\$41.70
Pacific Towing	202.60	85.48	168.87		\$456.95
Parks Enterprise	148.02				\$148.02
Pierson Company	2,653.64				\$2,653.64
Point of View Preservation LLC	239.75				\$239.75
Point Pleasant MHP	343.99				\$343.99
Poletskis Appliance Center	212.64				\$212.64
Porter and Sons Painting		452.39	25.02		\$477.41
Primo Drywall & Construction Co.	14.59				\$14.59
Providence St. Josephs Hospital	440.00	144.00			\$584.00
Quality Body Works	523.00				\$523.00
Quick Mow	52.24				\$52.24
RA Construction	95.05				\$95.05
Rainbow Self Storage	499.71	712.59			\$1,212.30
RebCo	20.85				\$20.85
Recology Eel River	83,500.74				\$83,500.74
Recology of Arcata	140,190.20				\$140,190.20
Recology of Humboldt County	4,529.28				\$4,529.28
Recology Samoa	44,424.15				\$44,424.15
Redwood Acres Fair Grounds	352.33				\$352.33
Redwood Coast Real Estate Inc.	150.08	114.65	(13.46)		\$251.27
Redwood Community Action Agency	188.43	(3.40)			\$185.03
Redwood Teen Challenge	1,372.68				\$1,372.68
Redwoods Community College District	12.50				\$12.50
Rentor	336.19	441.88			\$778.07
Resources Recycling & Recovery		402.40			\$402.40
Restif Cleaning Service		143.85			\$143.85
Revival Home Builders Inc.	20.85				\$20.85
RH Construction		239.75	112.58		\$352.33
Rich's Body Shop		31.27			\$31.27
Rob Jordan Construction			37.53		\$37.53
Robert Donathan	131.40				\$131.40
Ross A Nash Remodeling		9.50			\$9.50
S & S Phelps Inc.	393.91	75.06			\$468.97
Samson Construction	218.90				\$218.90
Sanders Roofing Inc.	1,263.38				\$1,263.38
Schmidbauer Building Supply LLC.	1,280.07				\$1,280.07

# Humboldt Waste Management Authority

## Draft A/R Aging Summary

As of October 31, 2025

	CURRENT	1 - 30	31 - 60	61 AND OVER	TOTAL
Sempervirens Gardening	939.10				\$939.10
Sequoia Construction	783.88				\$783.88
ServiceMaster	648.37	550.39			\$1,198.76
Sherlock Mini Storage				(12.68)	\$ (12.68)
Sholes Overhead Door	54.20				\$54.20
Simple Visions	631.69				\$631.69
Sisu Extracts	3,277.32	1,682.45			\$4,959.77
Six Rivers Mechanical Inc.	22.93				\$22.93
Soilscapes Solutions LLC	2,352.61	525.37		212.65	\$3,090.63
Spencer Electric	310.64				\$310.64
Spinks Property Management	166.78				\$166.78
Stetzel Builders				1,532.69	\$1,532.69
Strombeck Construction	1,542.77				\$1,542.77
STS Construction	510.77				\$510.77
Susan Whitely / Eric Dugan	246.84				\$246.84
T and T Roofing	1,463.51	3,696.35	742.19		\$5,902.05
TEMPORARY				494.50	\$494.50
The People of New Directions	1,787.39	43.00	14.59		\$1,844.98
Thomas Home Center	152.18				\$152.18
Timber Heritage Association	9.50				\$9.50
Tree Ventures Inc.		246.03	77.14	864.47	\$1,187.64
Trinidad Rancheria		(1,376.00)			\$ (1,376.00)
Ultimate Building Solutions	354.79				\$354.79
United Building			(0.01)		\$ (0.01)
United Indian Health	61.74				\$61.74
Vern McGaughey	1,200.85				\$1,200.85
Vern's Furniture	608.67	321.02			\$929.69
Viltrakis Design Build		275.19			\$275.19
Wade Bray General Contractor	270.96	22.93			\$293.89
Wahlund Construction	270.62				\$270.62
Watson Well Service	193.89				\$193.89
West End Builders Inc.			36.88		\$36.88
Westside Community Improvement Assoc.	308.54				\$308.54
William J Cosby Construction	298.50				\$298.50
Williamson Construction	56.29				\$56.29
Wing Inflatables	135.00				\$135.00
WSC Solar and Roofing	2,647.70	687.98			\$3,335.68
Zabel Enterprise	500.35				\$500.35
Zerlang & Zerlang Marine Services	422.17				\$422.17
<b>TOTAL</b>	<b>\$521,076.49</b>	<b>\$40,013.60</b>	<b>\$17,059.71</b>	<b>\$8,187.27</b>	<b>\$586,337.07</b>

**89% CURRENT**



# Humboldt Waste Management Authority

## Draft A/P Aging Summary

As of October 31, 2025

Attachment 2c.1

	CURRENT	1 - 30	31 - 60	61 AND OVER	TOTAL
Access Humboldt	101.40				\$101.40
Advanced Security Systems.	608.65				\$608.65
Airgas USA, LLC	635.59				\$635.59
Amazon Capital Services, Inc.	203.06				\$203.06
AT&T Calnet	38.79				\$38.79
B&B Portable Toilets	411.53				\$411.53
Bettendorf Enterprises, Inc	3,394.35	994.35			\$4,388.70
Blue Dream HR LLC	2,100.00				\$2,100.00
Blue Shield of California	45,655.15				\$45,655.15
Call2Recycle, Inc.			23,626.24		\$23,626.24
CalPERS		16,580.99			\$16,580.99
City of Arcata 939		6,611.66			\$6,611.66
City of Blue Lake 939		2,054.07			\$2,054.07
City of Eureka 939		8,423.15			\$8,423.15
City of Eureka Discharge Fees	5,940.00	9,180.00			\$15,120.00
City of Eureka Water	1,462.80				\$1,462.80
City of Ferndale 939		2,076.54			\$2,076.54
City of Rio Dell 939		1,347.92			\$1,347.92
Clean Harbors Environmental Services	36,173.80	43,155.00			\$79,328.80
Copiers Plus		248.72			\$248.72
DCI Builders	4,000.00				\$4,000.00
Dry Creek Landfill	518,423.39	3,000.00			\$521,423.39
Edgar & Associates, Inc	521.25	2,012.50			\$2,533.75
Empower		325.00			\$325.00
Englund Marine - Eureka	76.13				\$76.13
Eureka Times Standard				(5.00)	\$ (5.00)
FedEx	123.04				\$123.04
Filtrafine Corporation	525.23				\$525.23
Harper Motors	6,462.54				\$6,462.54
Humana Insurance	4,510.64				\$4,510.64
Humboldt Community Services District	125.48				\$125.48
Humboldt County Env Health Pass Through		73,092.98			\$73,092.98
Humboldt County Public Works Pass Through		149,240.59			\$149,240.59
Humboldt Organic Solutions, LLC	56,591.88				\$56,591.88
Humboldt Recycling	17,694.80	13,269.60	15,275.94		\$46,240.34
Humboldt Sanitation	16,858.12	16,424.30			\$33,282.42
I-5 Tire, Inc.	2,362.50				\$2,362.50
Industrial Electric	317.23				\$317.23
James L. Able Forestry Consultants, Inc	877.50				\$877.50
Jamie Corsetti, CPA	1,000.00				\$1,000.00
Ken's Auto Parts, LLC	117.03				\$117.03
Kernen Construction.	4,682.48				\$4,682.48
Law Offices of Nancy Diamond	1,537.75				\$1,537.75
Lawrence & Associates	1,472.50				\$1,472.50
Lighting Resources	8,938.34				\$8,938.34

# Humboldt Waste Management Authority

## Draft A/P Aging Summary

As of October 31, 2025

	CURRENT	1 - 30	31 - 60	61 AND OVER	TOTAL
Lost Coast Communications, Inc	750.00				\$750.00
Mad River Community Hospital.		717.50			\$717.50
Mad River Union	202.00				\$202.00
McMaster-Carr Supply Company		(1,142.91)			\$ (1,142.91)
Microbac Laboratories, Inc	568.00	814.00			\$1,382.00
Mission Linen Supply	2,675.87				\$2,675.87
Mobley Construction Inc.		1,750.00			\$1,750.00
NAPA	43.53				\$43.53
New Directions	475.00				\$475.00
Pacific Motorsports	701.46				\$701.46
Pape Machinery		105.78			\$105.78
Peterson CAT	1,119.56				\$1,119.56
Picky. Picky, Picky Surplus, Inc	1,111.20				\$1,111.20
Pierson Building Center	378.10				\$378.10
Powell Landscape Materials	506.05				\$506.05
Recology Humboldt County	225.00				\$225.00
Recology Humboldt County Samoa	4,196.93	4,652.15	3,924.72	5,208.87	\$17,982.67
Redwood Waste Solutions	467.28				\$467.28
Restif Cleaning Service Cooperative, Inc.	500.00				\$500.00
Rogers Machinery Company, Inc.	429.88				\$429.88
Scrapper's Edge	424.14				\$424.14
Shafer's Ace Hardware	256.55				\$256.55
Shasta Scale		3,237.75			\$3,237.75
Shaw Law Group	510.00				\$510.00
Six Rivers Mechanical		950.16			\$950.16
Thumpers Mechanical		3,293.00			\$3,293.00
Valeo Networks	4,359.73				\$4,359.73
Valley Pacific Petroleum Services, Inc	5,275.86				\$5,275.86
Verizon Wireless	306.96				\$306.96
WM Corporate Services, Inc	2,902.20	2,359.36			\$5,261.56
World Oil Environmental Services	111.00				\$111.00
WSP USA, Inc	35,296.83	25,597.83			\$60,894.66
<b>TOTAL</b>	<b>\$807,736.08</b>	<b>\$390,371.99</b>	<b>\$42,826.90</b>	<b>\$5,203.87</b>	<b>\$1,246,138.84</b>

**65% CURRENT**



**HUMBOLDT WASTE  
MANAGEMENT AUTHORITY**

***Staff Report***

**DATE:** December 12, 2025. For Meeting of: January 8, 2026

**FROM:** Eric Keller-Heckman, Director of Finance

**SUBJECT:** Item 2d)  
Review and Approve Recommendation for BBW & Associates, Inc. as the  
Successful Proposer for Registered Professional Forestry Services

**RECOMMENDED ACTION:** That the Board:

1. Direct the Executive Director and General Counsel to initiate negotiations with BBW & Associates, Inc. for Registered Professional Forestry Services.
2. Return to the Board for final agreement review and approval no later than the March 12, 2026, Board meeting.

**DISCUSSION:**

During the July 10, 2025, meeting, the Board of Directors approved a Request for Proposals for Registered Professional Forestry Services for circulation.

The scope of work was based on securing long-term service proposals from qualified forestry consultants. Requested services include overseeing all aspects of Nonindustrial Timber Management Plan (NTMP), management and timber sales administration including advertising the sale, managing the bidding process, securing contractors to perform logging operations, managing all financial transactions needed to support the timber harvest, and managing oversight for compliance purposes.

James L. Able Forestry Consultants, Inc. has been retained for a number of years as the Registered Professional Forester (RPF) of record, to ensure compliance with the NTMP and maintain a continuity of property maintenance and management practices. Jim Able has been the RPF for this property since 1979 and has overseen timber harvesting activities on this property under the previous property owners who included Eureka Garbage Co., NorCal Waste Solutions, and Recology.

Two proposals were submitted to the HWMA by the deadline. Both proposals were deemed responsive and reviewed by the evaluation committee. The committee scored both proposals based on the scoring matrix found within the proposal document. The scores are below:

- BBW& Associates, Inc. 92, 92, 94 for a total of 278
- James L. Able Forestry Consultants 90, 85, 88 for a total of 263

Based on the above, the evaluation committee recommends BBW and Associates inc. as the preferred proposer.

**FISCAL IMPACT:**

Costs for these services at the current pricing structure have been budgeted into CRL Timber Expenses line of the approved the FY 2025-26 Budget. Annual costs are being updated as work or harvest activities are undertaken, and those costs are approved annually in approved fiscal year budgets.

**ALTERNATIVES:**

Board Discretion



**HUMBOLDT WASTE  
MANAGEMENT AUTHORITY**

***Staff Report***

**DATE:** December 30, 2025. For Meeting of: January 8, 2026

**FROM:** Eric Keller-Heckman, Executive Director  
Nancy Diamond, General Council

**SUBJECT:** Item 2e)  
Receive overview of SB 707 (Durazo) and Receive Full Updated Legislative Text of The Ralph M Brown Act.

**RECOMMENDED ACTION: Informational Only**

- 1) Receive overview of SB 707 and Summary of Brown Act revisions applicable to Teleconference at Public Meetings.
- 2) Receive Full Updated Legislative Text of the Ralph M. Brown Act

**DISCUSSION:**

SB 707's most significant revisions to the Brown Act apply to a newly defined category of public agencies called "**eligible legislative bodies.**" These revisions include agenda translation requirements and enhanced opportunities for remote public participation. HWMA is not an eligible legislative body and instead falls into a different, newly defined category called "**eligible multijurisdictional bodies.**" This group of public agencies includes joint power authorities and special districts.

Additionally, SB 707 introduces a new category for standing advisory committees called "**subsidiary bodies**" and imposes different remote participation rules specific to this type of entity. HWMA's Technical Advisory Committee falls within the category of Subsidiary Bodies, and new rules apply to the use of teleconferencing at meetings of these committees. The different requirements for eligible legislative bodies, eligible multijurisdictional bodies, and subsidiary bodies, might cause confusion among governing board members whose primary jurisdictions are cities and counties that possibly fall within the new eligible legislative body category.

Finally, SB 707 purports to recast and simplify many of the provisions around teleconferencing. For example, Just Cause and Emergency Circumstances were properly unified in one subdivision called "Just Cause." However, the remaining new sections can be confusing in their application to the different categories of public agencies. There are general requirements, special situations, and exceptions to be aware of. Below attempts to summarize the relevant new provisions that will impact HWMA's agenda and meeting practices.

Additionally, General Council Diamond has provided a brief summary of significant revisions below.

## **1. TELECONFERENCE PARTICIPATION**

*Note: All provisions in this Section 2, "Teleconference Participation," except subsection c ("Proclaimed Emergency") apply to the Governing Board and Subsidiary Bodies.*

### **a. General Requirements (Gov Code §§ 54953(b)(2), 54953.8, 54953.8.7)**

*Note: Applicable to all meetings when using teleconferencing EXCEPT for when Board or Committee member participates from a remote non-public location as a reasonable accommodation (see below Section 5, "Reasonable Accommodation for Board/Committee Member With Disability").*

- 1) Provide two-way audiovisual or audio plus live webcasting means for public use;
- 2) Provide notice in agenda about how public can use teleconference to access meeting and provide public comment;
- 3) If disruption in teleconference service occurs, discontinue meeting until restored;
- 4) Board/Committee member participating remotely from a non-public and noticed location must:
  - i. Use interactive audio and video technology (exception for reasonable accommodation, see Section 5 below)
  - ii. Disclose whether anyone 18 or older is present and general nature of relationship
  - iii. Treat as in-person attendance for quorum purposes
- 5) At least a quorum of the Board/Committee members must participate from one or more physical locations that are accessible to the public, within the County of Humboldt, and noticed on the agenda;
- 6) Rollcall vote required when Board/Committee member participates remotely.

### **b. Remote Participation By Board/Committee Members, Just Cause (Gov Code §54953.8.3)**

*Note: Remote participation refers to a location that is not noticed on the agenda as publicly available. The provision now includes what were formerly "emergency circumstances."*

- 1) Just Cause Defined:
  - i. Childcare or caregiving to child, parent, grandparent, grandchild, sibling, spouse, domestic partner; or
  - ii. Contagious illness that prevents in person attendance; or
  - iii. Mental or physical need not subject to reasonable accommodation provisions; or
  - iv. Travel while on official business of HWMA or another state or local agency; or
  - v. Immunocompromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires remote participation; or
  - vi. Physical or family medical emergency; or
  - vii. Military service obligations.

- 2) Board/Committee member must provide general description of circumstances at beginning of meeting;
- 3) Member must participate through audio and visual means;
- 4) Limited to two meetings per year for each Board member;
- 5) Minutes must reflect specific just cause reason.

**c. Remote Meetings, Proclaimed Emergency (Gov Code §54953.8.2)**

*Note: Applies to HWMA Governing Board only.*

- 1) Emergency defined:
  - i. “Local Emergency” proclaimed by a City or Humboldt County pursuant to Government Code § 8850 et seq. or Health and Safety Code § 101080; or
  - ii. “State of Emergency” proclaimed by State pursuant to Gov Code § 8625
- 2) Board may meet remotely to determine whether emergency exists that would present imminent risk of health or safety harm to in person attendees;
- 3) Thereafter, Board must determine that because of emergency, meeting in person would present imminent risk of health or safety to attendees;
- 4) Renew determination every 45 days for as long as emergency lasts;
- 5) May use two-way telephonic service without live webcasting;

**d. Publicly Accessible Physical Locations, Teleconference Participation (Gov Code §54953(b))**

*Note: This includes the “traditional” form of permitted teleconferencing from alternate physical locations.*

- 1) Agenda must identify physical teleconference location(s);
- 2) Agenda must be posted at physical teleconference location(s);
- 3) Physical teleconference location(s) must be ADA accessible;
- 4) Quorum of Board/Committee members must participate physically from any noticed public location(s) located within Humboldt County (HWMA’s territorial jurisdiction);
- 5) Rollcall vote required.

**2. MULTIJURISDICTIONAL BODY, ADDITIONAL REMOTE TELECONFERENCING OPPORTUNITIES (GOV CODE §54953.8.7)**

*Note: The HWMA Governing Board as a Multijurisdictional Body may allow its Board members to participate in meetings from remote non-public locations, subject to following the requirements below in addition to the General Requirements above.*

- a. A one-time Resolution must be adopted by Board to approve remote participation under this Brown Act provision;
- b. Remote location must be at least 20 miles from a publicly available physical location that is noticed on the agenda;
- c. The Board member does not receive compensation for service on the HWMA Board;
- d. The name of the Board member participating remotely must be posted on agenda;
- e. Limited to no more than two times per year; and
- f. At least a quorum of Board members must participate from one or more physical locations in Humboldt County that is noticed, accessible and open to the public.

### **3. SUBSIDIARY BODIES (TECHNICAL ADVISORY COMMITTEE) (GOV CODE §54953.8.6)**

*Note: Remote teleconference opportunities are more relaxed for Subsidiary Committees, with a goal of increasing public participation on the committees. A committee member may participate from a remote, non-public location if the General Requirements for teleconferencing, Section 2.a above, are followed in addition to requirements below:*

#### **a. Subsidiary Committee Defined:**

- 1) Standing committee created by the HWMA Governing Board;
- 2) Advisory only;
- 3) Not authorized to take final action on legislation, regulations, contracts, permits, entitlements, grants, or fund allocation; and
- 4) Does not have primary subject matter jurisdiction that focuses on budgets.

#### **b. Physical Meeting Location(s) Required:**

- 1) The Committee must designate at least one physical meeting location within HWMA boundaries where non-remote participating Committee members and public can attend;
- 2) At least one staff member must be physically present at location(s);
- 3) Physical location(s) must be accessible;
- 4) Agenda must be posted at physical meeting location(s).

#### **c. Remote Teleconference Participation by Committee Member:**

- 1) The Governing Board must adopt a resolution authorizing the Subsidiary Body's use of this Brown Act provision with the following findings, and renew the resolution every six months:
  - i. The Board has considered the circumstances;
  - ii. Teleconference meetings would enhance public access and participation;
  - iii. The public has been made aware of the type of remote participation (audiovisual or telephonic) and has been given opportunity to comment at HWMA Board meeting;
  - iv. Teleconference meeting would promote the attraction, retention, and diversity of committee members.
- 2) The Governing Board may prohibit use of teleconferencing under this provision of the Brown Act;
- 3) Subsidiary Body must approve use of teleconferencing under this provision after Board adopts authorizing Resolution;
- 4) Visual appearance of Committee member required, unless physical or mental condition requires off-camera participation;
- 5) Visual appearance not required when technologically infeasible, for example, lack of reliable internet, but must announce reason for turning off video;
- 6) Elected officials sitting on a Subsidiary Body can participate by teleconference only if in compliance with Gov Code §54953(b) (See 2.d, above, "Publicly Accessible Physical Locations, Teleconference Participation");

**4. REASONABLE ACCOMMODATION FOR BOARD/COMMITTEE MEMBER WITH DISABILITY (GOV CODE §§ 54953(c), 54953(e)(1))**

*Note: A Board or Committee Member may attend meetings from a remote, non-public location as a reasonable accommodation for a disability. Such meeting participation must follow the requirements below, but is exempt from the General Requirements above.*

- a. Disability Defined:
  - 1) Physical or mental disability as defined under the ADA, 42 USC §§ 12926, 12926.1, 12102.
- b. Applies to members of Governing Board and Eligible Subsidiary Bodies;
- c. Supersedes all other teleconferencing requirements;
- d. Board/Committee member must use audio and visual technology, unless physical condition results in need to participate off camera;
- e. Must disclose individuals 18 years old or older present in room, and disclose general nature of relationship;
- f. Treat as in-person attendance at physical location including for quorum purposes.

**5. ACTIONS REQUIRED BY HWMA STAFF**

- a. Pass out a complete copy of the revised Brown Act to each Board and Subsidiary Body member; a copy of SB 707 is not adequate;
- b. Ensure the remote participation instructions included on agenda is up to date;
- c. Identify and make available to Governing Board and members of Subsidiary Bodies a list of one or more physical locations where meetings can be conducted;
- d. Develop, implement, and post on every agenda a procedure for receiving and resolving requests from public members for reasonable accommodation consistent with ADA.

**FISCAL IMPACT**

None.

**ATTACHMENTS:**

2e.1) Ralph M. Brown Act Updated Legislative Text.

# RALPH M. BROWN ACT

## GOVERNMENT CODE - GOV

### TITLE 5. LOCAL AGENCIES [50001 - 57607]

*(Title 5 added by Stats. 1949, Ch. 81.)*

#### DIVISION 2. CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 55821]

*(Division 2 added by Stats. 1949, Ch. 81.)*

#### PART 1. POWERS AND DUTIES COMMON TO CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 54999.7]

*(Part 1 added by Stats. 1949, Ch. 81.)*

#### CHAPTER 9. Meetings [54950 - 54963]

*(Chapter 9 added by Stats. 1953, Ch. 1588.)*

#### 54950.

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

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

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

#### 54950.5.

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

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

#### 54951.

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

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

#### 54952.

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

- (a) The governing body of a local agency or any other local body created by state or federal statute.
- (b) A commission, committee, board, or other body of a local agency, whether permanent or temporary, decision making or advisory, created by charter, ordinance, resolution, or formal

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action of a legislative body. However, advisory committees, composed solely of the members of the legislative body that are less than a quorum of the legislative body are not legislative bodies, except that standing committees of a legislative body, irrespective of their composition, which have a continuing subject matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body are legislative bodies for purposes of this chapter.

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

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

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

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

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

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

### **54952.1.**

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

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

### **54952.2.**

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

## RALPH M. BROWN ACT

(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

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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.

*(Amended (as amended by Stats. 2020, Ch. 89, Sec. 1) by Stats. 2025, Ch. 327, Sec. 1. (SB 707) Effective January 1, 2026.)*

### **54952.3.**

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

(b) For purposes of this section, compensation and stipend shall not include amounts reimbursed for actual and necessary expenses incurred by a member in the performance of the member's

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official duties, including, but not limited to, reimbursement of expenses relating to travel, meals, and lodging.

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

### **54952.6.**

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

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

### **54952.7.**

A 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.

*(Amended by Stats. 2025, Ch. 327, Sec. 3. (SB 707) Effective January 1, 2026.)*

### **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.

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(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.

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(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.

*(Amended (as amended by Stats. 2023, Ch. 534, Sec. 2) by Stats. 2025, Ch. 327, Sec. 4. (SB 707) Effective January 1, 2026.)*

### **54953.1.**

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

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

### **54953.2.**

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

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

### **54953.3.**

A member of the public shall not be required, as a condition to attendance at a meeting of a legislative body of a local agency, to register his or her name, to provide other information, to complete a questionnaire, or otherwise to fulfill any condition precedent to his or her attendance. If an attendance list, register, questionnaire, or other similar document is posted at or near the entrance to the room where the meeting is to be held, or is circulated to the persons present

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during the meeting, it shall state clearly that the signing, registering, or completion of the document is voluntary, and that all persons may attend the meeting regardless of whether a person signs, registers, or completes the document.

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

### **54953.4.**

(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.

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(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.

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(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.

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(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:

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(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.

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(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. *(Added by Stats. 2025, Ch. 327, Sec. 5. (SB 707) Effective January 1, 2026. Operative July 1, 2026, by its own provisions. Repealed as of January 1, 2030, by its own provisions.)*

### **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.

*(Amended by Stats. 2025, Ch. 327, Sec. 6. (SB 707) Effective January 1, 2026.)*

### **54953.6.**

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

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

### **54953.7.**

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

*(Amended by Stats. 2025, Ch. 327, Sec. 7. (SB 707) Effective January 1, 2026.)*

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### 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,

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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.

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(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.

*(Added by Stats. 2025, Ch. 327, Sec. 8. (SB 707) Effective January 1, 2026.)*

### **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.

*(Added by Stats. 2025, Ch. 327, Sec. 9. (SB 707) Effective January 1, 2026.)*

### **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.

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(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).

*(Added by Stats. 2025, Ch. 327, Sec. 10. (SB 707) Effective January 1, 2026.)*

### **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.

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(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.

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*(Added by Stats. 2025, Ch. 327, Sec. 11. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)*

### **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:

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(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. *(Added by Stats. 2025, Ch. 327, Sec. 12. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)*

### **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.

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(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

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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. *(Added by Stats. 2025, Ch. 327, Sec. 13. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)*

### 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:

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(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.

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(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. *(Added by Stats. 2025, Ch. 327, Sec. 14. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)*

### **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:

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(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. *(Added by Stats. 2025, Ch. 327, Sec. 15. (SB 707) Effective January 1, 2026. Repealed as of January 1, 2030, by its own provisions.)*

### **54954.**

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

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

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

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

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

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

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

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

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

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

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

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

(3) Interview a potential employee from another district.

(d) Meetings of a joint powers authority shall occur within the territory of at least one of its member agencies, or as provided in subdivision (b). However, a joint powers authority which has members throughout the state may meet at any facility in the state which complies with the requirements of Section 54961.

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

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

### **54954.1.**

Any person may request that a copy of the agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. If a local agency has an internet website, the legislative body or its designee shall email a copy of, or

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

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

### **54954.2.**

(a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda 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.

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(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).

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(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.

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

*(Amended (as amended by Stats. 2023, Ch. 131, Sec. 92) by Stats. 2025, Ch. 327, Sec. 16. (SB 707) Effective January 1, 2026.)*

### **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

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

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

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

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

*(Amended by Stats. 2025, Ch. 327, Sec. 17. (SB 707) Effective January 1, 2026.)*

### **54954.4.**

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

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

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

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

### **54954.5.**

For purposes of describing closed session items pursuant to Section 54954.2, the agenda may describe closed sessions as provided below. No legislative body or elected official shall be in violation of Section 54954.2 or 54956 if the closed session items were described in substantial

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compliance with this section. Substantial compliance is satisfied by including the information provided below, irrespective of its format.

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

### LICENSE/PERMIT DETERMINATION

Applicant(s): (Specify number of applicants)

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

### CONFERENCE WITH REAL PROPERTY NEGOTIATORS

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

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

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

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

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

### CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

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

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

or

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

### CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

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

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

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

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

### LIABILITY CLAIMS

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

Agency claimed against: (Specify name)

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

### THREAT TO PUBLIC SERVICES OR FACILITIES

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

### PUBLIC EMPLOYEE APPOINTMENT

Title: (Specify description of position to be filled)

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### PUBLIC EMPLOYMENT

Title: (Specify description of position to be filled)

### PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: (Specify position title of employee being reviewed)

### PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

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

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

### CONFERENCE WITH LABOR NEGOTIATORS

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

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

or

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

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

### CASE REVIEW/PLANNING

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

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

### REPORT INVOLVING TRADE SECRET

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

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

### HEARINGS

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

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

### CHARGE OR COMPLAINT INVOLVING INFORMATION PROTECTED BY FEDERAL LAW

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

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

CONFERENCE INVOLVING A JOINT POWERS AGENCY (Specify by name)

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

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

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

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

AUDIT BY CALIFORNIA STATE AUDITOR'S OFFICE

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

### 54954.6.

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

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

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

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

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

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

(E) Standby or immediate availability charges.

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

(b) (1) The joint notice of both the public meeting and the public hearing required by subdivision (a) with respect to a proposal for a new or increased general tax shall be accomplished by placing a display advertisement of at least one-eighth page in a newspaper of general circulation for three weeks pursuant to Section 6063 and by a first-class mailing to those interested parties who have filed a written request with the local agency for mailed notice of public meetings or hearings on new or increased general taxes. The public meeting pursuant to subdivision (a) shall take place no earlier than 10 days after the first publication of the joint notice pursuant to this subdivision. The public hearing shall take place no earlier than seven days after the public meeting pursuant to this subdivision. Notwithstanding paragraph (2) of subdivision (a), the joint notice need not include notice of the public meeting after the meeting has taken place. The public hearing

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pursuant to subdivision (a) shall take place no earlier than 45 days after the first publication of the joint notice pursuant to this subdivision. Any written request for mailed notices shall be effective for one year from the date on which it is filed unless a renewal request is filed. Renewal requests for mailed notices shall be filed on or before April 1 of each year. The legislative body may establish a reasonable annual charge for sending notices based on the estimated cost of providing the service.

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

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

(B) The activity to be taxed.

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

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

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

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

(c) (1) The joint notice of both the public meeting and the public hearing required by subdivision (a) with respect to a proposal for a new or increased assessment on real property or businesses shall be accomplished through a mailing, postage prepaid, in the United States mail and shall be deemed given when so deposited. The public meeting pursuant to subdivision (a) shall take place no earlier than 10 days after the joint mailing pursuant to this subdivision. The public hearing shall take place no earlier than seven days after the public meeting pursuant to this subdivision. The envelope or the cover of the mailing shall include the name of the local agency and the return address of the sender. This mailed notice shall be in at least 10-point type and shall be given to all property owners or business owners proposed to be subject to the new or increased assessment by a mailing by name to those persons whose names and addresses appear on the last equalized county assessment roll, the State Board of Equalization assessment roll, or the local agency's records pertaining to business ownership, as the case may be.

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

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

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

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

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

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

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

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

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

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

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

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

(1) The property owners subject to the assessment.

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

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

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

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

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

### **54955.**

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

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

### **54955.1.**

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

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

### **54956.**

(a) (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

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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.

*(Amended by Stats. 2025, Ch. 327, Sec. 18. (SB 707) Effective January 1, 2026.)*

### 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

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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.

*(Amended by Stats. 2025, Ch. 327, Sec. 19. (SB 707) Effective January 1, 2026.)*

### **54956.6.**

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

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

### **54956.7.**

Whenever a legislative body of a local agency determines that it is necessary to discuss and determine whether an applicant for a license or license renewal, who has a criminal record, is sufficiently rehabilitated to obtain the license, the legislative body may hold a closed session with the applicant and the applicant's attorney, if any, for the purpose of holding the discussion and making the determination. If the legislative body determines, as a result of the closed session, that the issuance or renewal of the license should be denied, the applicant shall be offered the opportunity to withdraw the application. If the applicant withdraws the application, no record shall be kept of the discussions or decisions made at the closed session and all matters relating to the closed session shall be confidential. If the applicant does not withdraw the application, the legislative body shall take action at the public meeting during which the closed

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session is held or at its next public meeting denying the application for the license but all matters relating to the closed session are confidential and shall not be disclosed without the consent of the applicant, except in an action by an applicant who has been denied a license challenging the denial of the license.

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

### **54956.75.**

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

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

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

### **54956.8.**

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

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

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

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

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

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

### **54956.81.**

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

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

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

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

### **54956.87.**

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

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

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

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

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

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

- (1) The secrecy of the information is necessary for the health plan to initiate a new service, program, marketing strategy, business plan, or technology, or to add a benefit or product.
- (2) Premature disclosure of the trade secret would create a substantial probability of depriving the health plan of a substantial economic benefit or opportunity.

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

### **54956.9.**

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

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

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

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

- (1) Litigation, to which the local agency is a party, has been initiated formally.
- (2) A point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency.
- (3) Based on existing facts and circumstances, the legislative body of the local agency is meeting only to decide whether a closed session is authorized pursuant to paragraph (2).
- (4) Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation.

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

- (1) Facts and circumstances that might result in litigation against the local agency but which the local agency believes are not yet known to a potential plaintiff or plaintiffs, which facts and circumstances need not be disclosed.
- (2) Facts and circumstances, including, but not limited to, an accident, disaster, incident, or transactional occurrence that might result in litigation against the agency and that are known to

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a potential plaintiff or plaintiffs, which facts or circumstances shall be publicly stated on the agenda or announced.

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

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

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

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

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

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

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

### 54956.95.

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

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workers' compensation liability incurred by the joint powers agency or a local agency member of the joint powers agency.

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

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

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

### **54956.96.**

(a) Nothing in this chapter shall be construed to prevent the legislative body of a joint powers agency formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1, from adopting a policy or a bylaw or including in its joint powers agreement provisions that authorize either or both of the following:

(1) All information received by the legislative body of the local agency member in a closed session related to the information presented to the joint powers agency in closed session shall be confidential. However, a member of the legislative body of a local agency member may disclose information obtained in a closed session that has direct financial or liability implications for that local agency to the following individuals:

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

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

(2) Any designated alternate member of the legislative body of the joint powers agency who is also a member of the legislative body of a local agency member and who is attending a properly noticed meeting of the joint powers agency in lieu of a local agency member's regularly appointed member to attend closed sessions of the joint powers agency.

(b) (1) In addition to the authority described in subdivision (a), the Clean Power Alliance of Southern California, or its successor entity, may adopt a policy or a bylaw or include in its joint powers agreement a provision that authorizes both of the following:

(A) A designated alternate member of the legislative body of the Clean Power Alliance of Southern California, or its successor entity, who is not a member of the legislative body of a local agency member and who is attending a properly noticed meeting of the Clean Power Alliance of Southern California, or its successor entity, in lieu of a local agency member's regularly appointed member, to attend closed sessions of the Clean Power Alliance of Southern California, or its successor entity.

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(B) All information that is received by a designated alternate member of the legislative body of the Clean Power Alliance of Southern California, or its successor entity, who is not a member of the legislative body of a local agency member, and that is presented to the Clean Power Alliance of Southern California, or its successor entity, in closed session, shall be confidential. However, the designated alternate member may disclose information obtained in a closed session that has direct financial or liability implications for the local agency member for which the designated alternate member attended the closed session, to the following individuals:

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

(ii) Members of the legislative body of the local agency present in a closed session of that local agency member.

(2) If the Clean Power Alliance of Southern California, or its successor entity, adopts a policy or bylaw or includes in its joint powers agreement a provision authorized pursuant to paragraph (1), the Clean Power Alliance of Southern California, or its successor entity, shall establish policies to prevent conflicts of interest and to address breaches of confidentiality that apply to a designated alternate member who is not a member of the legislative body of a local agency member who attends a closed session of the Clean Power Alliance of Southern California, or its successor entity.

(c) If the legislative body of a joint powers agency adopts a policy or a bylaw or includes provisions in its joint powers agreement pursuant to subdivision (a) or (b), then the legislative body of the local agency member, upon the advice of its legal counsel, may conduct a closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the joint powers agency pursuant to paragraph (1) of subdivision (a) or paragraph (1) of subdivision (b).

(d) This section shall remain in effect only until January 1, 2030, and as of that date is repealed. *(Amended (as amended by Stats. 2019, Ch. 248, Sec. 1) by Stats. 2024, Ch. 24, Sec. 1. (AB 1852) Effective January 1, 2025. Repealed as of January 1, 2030, by its own provisions. See later operative version, as amended by Sec. 2 of Stats. 2024, Ch. 24.)*

### **54956.96.**

(a) Nothing in this chapter shall be construed to prevent the legislative body of a joint powers agency formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1, from adopting a policy or a bylaw or including in its joint powers agreement provisions that authorize either or both of the following:

(1) All information received by the legislative body of the local agency member in a closed session related to the information presented to the joint powers agency in closed session shall be confidential. However, a member of the legislative body of a local agency member may disclose information obtained in a closed session that has direct financial or liability implications for that local agency to the following individuals:

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

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

(2) A designated alternate member of the legislative body of the joint powers agency who is also a member of the legislative body of a local agency member and who is attending a properly noticed meeting of the joint powers agency in lieu of a local agency member's regularly appointed member to attend closed sessions of the joint powers agency.

(b) If the legislative body of a joint powers agency adopts a policy or a bylaw or includes provisions in its joint powers agreement pursuant to subdivision (a), then the legislative body of the local agency member, upon the advice of its legal counsel, may conduct a closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the joint powers agency pursuant to paragraph (1) of subdivision (a).

(c) This section shall become operative on January 1, 2030.

*(Amended (as added by Stats. 2019, Ch. 248, Sec. 2) by Stats. 2024, Ch. 24, Sec. 2. (AB 1852) Effective January 1, 2025. Section operative January 1, 2030, by its own provisions.)*

### **54956.97.**

Notwithstanding any provision of law, the governing board, or a committee of the governing board, of a public bank, as defined in Section 57600 of the Government Code, may meet in closed session to consider and take action on matters pertaining to all of the following:

(a) A loan or investment decision.

(b) A decision of the internal audit committee, the compliance committee, or the governance committee.

(c) A meeting with a state or federal regulator.

*(Added by Stats. 2019, Ch. 442, Sec. 14. (AB 857) Effective January 1, 2020.)*

### **54956.98.**

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

(1) "Shareholder, member, or owner local agency" or "shareholder, member, or owner" means a local agency that is a shareholder of a public bank.

(2) "Public bank" has the same meaning as defined in Section 57600.

(b) The governing board of a public bank may adopt a policy or a bylaw or include in its governing documents provisions that authorize any of the following:

(1) All information received by a shareholder, member, or owner of the public bank in a closed session related to the information presented to the governing board of a public bank in closed session shall be confidential. However, a member of the governing board of a shareholder, member, or owner local agency may disclose information obtained in a closed

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session that has direct financial or liability implications for that local agency to the following individuals:

(A) Legal counsel of that shareholder, member, or owner local agency for purposes of obtaining advice on whether the matter has direct financial or liability implications for that shareholder local agency.

(B) Other members of the governing board of the local agency present in a closed session of that shareholder, member, or owner local agency.

(2) A designated alternate member of the governing board of the public bank who is also a member of the governing board of a shareholder, member, or owner local agency and who is attending a properly noticed meeting of the public bank governing board in lieu of a shareholder, member, or owner local agency's regularly appointed member may attend a closed session of the public bank governing board.

(c) If the governing board of a public bank adopts a policy or a bylaw or includes provisions in its governing documents pursuant to subdivision (b), then the governing board of the shareholder, member, or owner local agency, upon the advice of its legal counsel, may conduct a closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the public bank governing board pursuant to paragraph (1) of subdivision (b). *(Added by Stats. 2019, Ch. 442, Sec. 15. (AB 857) Effective January 1, 2020.)*

### 54957.

(a) (1) This chapter does not prevent the legislative body of a local agency from holding closed sessions with the Governor, Attorney General, district attorney, agency counsel, sheriff, or chief of police, or other law enforcement or security personnel, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings, a threat to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service, a threat to the public's right of access to public services or public facilities, or a threat to critical infrastructure controls or critical infrastructure information relating to cybersecurity.

(2) For purposes of this subdivision, the following definitions apply:

(A) "Critical infrastructure controls" means networks and systems controlling assets so vital to the local agency that the incapacity or destruction of those networks, systems, or assets would have a debilitating impact on public health, safety, economic security, or any combination thereof.

(B) "Critical infrastructure information" means information not customarily in the public domain pertaining to any of the following:

(i) Actual, potential, or threatened interference with, or an attack on, compromise of, or incapacitation of critical infrastructure controls by either physical or computer-based attack or other similar conduct, including, but not limited to, the misuse of, or unauthorized access to, all types of communications and data transmission systems,

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that violates federal, state, or local law or harms public health, safety, or economic security, or any combination thereof.

(ii) The ability of critical infrastructure controls to resist any interference, compromise, or incapacitation, including, but not limited to, any planned or past assessment or estimate of the vulnerability of critical infrastructure.

(iii) Any planned or past operational problem or solution regarding critical infrastructure controls, including, but not limited to, repair, recovery, reconstruction, insurance, or continuity, to the extent it is related to interference, compromise, or incapacitation of critical infrastructure controls.

(b) (1) Subject to paragraph (2), this chapter does not prevent the legislative body of a local agency from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session.

(2) As a condition to holding a closed session on specific complaints or charges brought against an employee by another person or employee, the employee shall be given written notice of their right to have the complaints or charges heard in an open session rather than a closed session, which notice shall be delivered to the employee personally or by mail at least 24 hours before the time for holding the session. If notice is not given, any disciplinary or other action taken by the legislative body against the employee based on the specific complaints or charges in the closed session shall be null and void.

(3) The legislative body also may exclude from the public or closed meeting, during the examination of a witness, any or all other witnesses in the matter being investigated by the legislative body.

(4) For the purposes of this subdivision, the term “employee” shall include an officer or an independent contractor who functions as an officer or an employee but shall not include any elected official, member of a legislative body or other independent contractors. This subdivision shall not limit local officials’ ability to hold closed session meetings pursuant to Sections 1461, 32106, and 32155 of the Health and Safety Code or Sections 37606 and 37624.3 of the Government Code. Closed sessions held pursuant to this subdivision shall not include discussion or action on proposed compensation except for a reduction of compensation that results from the imposition of discipline.

*(Amended by Stats. 2024, Ch. 243, Sec. 1. (AB 2715) Effective January 1, 2025.)*

### **54957.1.**

(a) The legislative body of any local agency shall publicly report any action taken in closed session and the vote or abstention on that action of every member present, as follows:

(1) Approval of an agreement concluding real estate negotiations pursuant to Section 54956.8 shall be reported after the agreement is final, as follows:

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(A) If its own approval renders the agreement final, the body shall report that approval and the substance of the agreement in open session at the public meeting during which the closed session is held.

(B) If final approval rests with the other party to the negotiations, the local agency shall disclose the fact of that approval and the substance of the agreement upon inquiry by any person, as soon as the other party or its agent has informed the local agency of its approval.

(2) Approval given to its legal counsel to defend, or seek or refrain from seeking appellate review or relief, or to enter as an amicus curiae in any form of litigation as the result of a consultation under Section 54956.9 shall be reported in open session at the public meeting during which the closed session is held. The report shall identify, if known, the adverse party or parties and the substance of the litigation. In the case of approval given to initiate or intervene in an action, the announcement need not identify the action, the defendants, or other particulars, but shall specify that the direction to initiate or intervene in an action has been given and that the action, the defendants, and the other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the agency's ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.

(3) Approval given to its legal counsel of a settlement of pending litigation, as defined in Section 54956.9, at any stage prior to or during a judicial or quasi-judicial proceeding shall be reported after the settlement is final, as follows:

(A) If the legislative body accepts a settlement offer signed by the opposing party, the body shall report its acceptance and identify the substance of the agreement in open session at the public meeting during which the closed session is held.

(B) If final approval rests with some other party to the litigation or with the court, then as soon as the settlement becomes final, and upon inquiry by any person, the local agency shall disclose the fact of that approval, and identify the substance of the agreement.

(4) Disposition reached as to claims discussed in closed session pursuant to Section 54956.95 shall be reported as soon as reached in a manner that identifies the name of the claimant, the name of the local agency claimed against, the substance of the claim, and any monetary amount approved for payment and agreed upon by the claimant.

(5) Action taken to appoint, employ, dismiss, accept the resignation of, or otherwise affect the employment status of a public employee in closed session pursuant to Section 54957 shall be reported at the public meeting during which the closed session is held. Any report required by this paragraph shall identify the title of the position. The general requirement of this paragraph notwithstanding, the report of a dismissal or of the nonrenewal of an employment contract shall be deferred until the first public meeting following the exhaustion of administrative remedies, if any.

(6) Approval of an agreement concluding labor negotiations with represented employees pursuant to Section 54957.6 shall be reported after the agreement is final and has been

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accepted or ratified by the other party. The report shall identify the item approved and the other party or parties to the negotiation.

(7) Pension fund investment transaction decisions made pursuant to Section 54956.81 shall be disclosed at the first open meeting of the legislative body held after the earlier of the close of the investment transaction or the transfer of pension fund assets for the investment transaction.

(b) Reports that are required to be made pursuant to this section may be made orally or in writing. The legislative body shall provide to any person who has submitted a written request to the legislative body within 24 hours of the posting of the agenda, or to any person who has made a standing request for all documentation as part of a request for notice of meetings pursuant to Section 54954.1 or 54956, if the requester is present at the time the closed session ends, copies of any contracts, settlement agreements, or other documents that were finally approved or adopted in the closed session. If the action taken results in one or more substantive amendments to the related documents requiring retyping, the documents need not be released until the retyping is completed during normal business hours, provided that the presiding officer of the legislative body or his or her designee orally summarizes the substance of the amendments for the benefit of the document requester or any other person present and requesting the information.

(c) The documentation referred to in subdivision (b) shall be available to any person on the next business day following the meeting in which the action referred to is taken or, in the case of substantial amendments, when any necessary retyping is complete.

(d) Nothing in this section shall be construed to require that the legislative body approve actions not otherwise subject to legislative body approval.

(e) No action for injury to a reputational, liberty, or other personal interest may be commenced by or on behalf of any employee or former employee with respect to whom a disclosure is made by a legislative body in an effort to comply with this section.

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

*(Amended by Stats. 2006, Ch. 538, Sec. 311. Effective January 1, 2007.)*

### 54957.2.

(a) The legislative body of a local agency may, by ordinance or resolution, designate a clerk or other officer or employee of the local agency who shall then attend each closed session of the legislative body and keep and enter in a minute book a record of topics discussed and decisions made at the meeting. The minute book made pursuant to this section is not a public record subject to inspection pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), and shall be kept confidential. The minute book shall be available only to members of the legislative body or, if a violation of this chapter is alleged to have occurred at a closed session, to a court of general jurisdiction wherein the local agency lies. The minute book may, but need not, consist of a recording of the closed session.

(b) An elected legislative body of a local agency may require that each legislative body all or a majority of whose members are appointed by or under the authority of the elected legislative body keep a minute book as prescribed under subdivision (a).

*(Amended by Stats. 2021, Ch. 615, Sec. 207. (AB 474) Effective January 1, 2022. Operative January 1, 2023, pursuant to Sec. 463 of Stats. 2021, Ch. 615.)*

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### 54957.5.

(a) Agendas of public meetings are disclosable public records under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), and shall be made available upon request without delay and in compliance with Section 54954.2 or Section 54956, as applicable. However, this section shall not apply to a writing, or portion thereof, that is exempt from public disclosure.

(b) (1) If a writing is a public record related to an agenda item for an open session of a regular meeting of the legislative body of a local agency and is distributed to all, or a majority of all, of the members of a legislative body of a local agency by a person in connection with a matter subject to discussion or consideration at an open meeting of the body less than 72 hours before that meeting, the writing shall be made available for public inspection pursuant to paragraph (2) at the time the writing is distributed to all, or a majority of all, of the members of the body.

(2) (A) Except as provided in subparagraph (B), a local agency shall comply with both of the following requirements:

(i) A local agency shall make any writing described in paragraph (1) available for public inspection at a public office or location that the agency shall designate for this purpose.

(ii) A local agency shall list the address of the office or location designated pursuant to clause (i) on the agendas for all meetings of the legislative body of that agency.

(B) A local agency shall not be required to comply with the requirements of subparagraph (A) if all of the following requirements are met:

(i) An initial staff report or similar document containing an executive summary and the staff recommendation, if any, relating to that agenda item is made available for public inspection at the office or location designated pursuant to clause (i) of subparagraph (A) at least 72 hours before the meeting.

(ii) The local agency immediately posts any writing described in paragraph (1) on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.

(iii) The local agency lists the web address of the local agency's internet website on the agendas for all meetings of the legislative body of that agency.

(iv) (I) Subject to subclause (II), the local agency makes physical copies available for public inspection, beginning the next regular business hours for the local agency, at the office or location designated pursuant to clause (i) of subparagraph (A).

(II) This clause is satisfied only if the next regular business hours of the local agency commence at least 24 hours before that meeting.

(c) Writings that are public records described in subdivision (b) and distributed during a public meeting shall be made available for public inspection at the meeting if prepared by the local agency or a member of its legislative body, or after the meeting if prepared by some other

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person. These writings shall be made available in appropriate alternative formats upon request by a person with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(d) This chapter shall not be construed to prevent the legislative body of a local agency from charging a fee or deposit for a copy of a public record pursuant to Section 7922.530, except that a surcharge shall not be imposed on persons with disabilities in violation of Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

(e) This section shall not be construed to limit or delay the public's right to inspect or obtain a copy of any record required to be disclosed under the requirements of the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), including, but not limited to, the ability of the public to inspect public records pursuant to Section 7922.525 and obtain copies of public records pursuant to either subdivision (b) of Section 7922.530 or Section 7922.535. This chapter shall not be construed to require a legislative body of a local agency to place any paid advertisement or any other paid notice in any publication.

*(Amended (as amended by Stats. 2021, Ch. 615, Sec. 208) by Stats. 2022, Ch. 971, Sec. 1. (AB 2647) Effective January 1, 2023.)*

### **54957.6.**

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

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

*(Amended by Stats. 2025, Ch. 327, Sec. 20. (SB 707) Effective January 1, 2026.)*

### **54957.7.**

(a) Prior to holding any closed session, the legislative body of the local agency shall disclose, in an open meeting, the item or items to be discussed in the closed session. The disclosure may take the form of a reference to the item or items as they are listed by number or letter on the agenda. In the closed session, the legislative body may consider only those matters covered in its statement. Nothing in this section shall require or authorize a disclosure of information prohibited by state or federal law.

(b) After any closed session, the legislative body shall reconvene into open session prior to adjournment and shall make any disclosures required by Section 54957.1 of action taken in the closed session.

(c) The announcements required to be made in open session pursuant to this section may be made at the location announced in the agenda for the closed session, as long as the public is allowed to be present at that location for the purpose of hearing the announcements.

*(Amended by Stats. 1993, Ch. 1137, Sec. 15. Effective January 1, 1994. Operative April 1, 1994, by Sec. 23 of Ch. 1137.)*

### **54957.8.**

(a) For purposes of this section, “multijurisdictional law enforcement agency” means a joint powers entity formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 that provides law enforcement services for the parties to the joint powers agreement for the purpose of investigating criminal activity involving drugs; gangs; sex crimes; firearms trafficking or felony possession of a firearm; high technology, computer, or identity theft; human trafficking; or vehicle theft.

(b) Nothing contained in this chapter shall be construed to prevent the legislative body of a multijurisdictional law enforcement agency, or an advisory body of a multijurisdictional law enforcement agency, from holding closed sessions to discuss the case records of any ongoing criminal investigation of the multijurisdictional law enforcement agency or of any party to the joint powers agreement, to hear testimony from persons involved in the investigation, and to discuss courses of action in particular cases.

*(Amended by Stats. 2006, Ch. 427, Sec. 1. Effective September 22, 2006.)*

### **54957.9.**

In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of 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

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

*(Amended by Stats. 2025, Ch. 327, Sec. 21. (SB 707) Effective January 1, 2026.)*

### **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.

*(Amended by Stats. 2025, Ch. 327, Sec. 22. (SB 707) Effective January 1, 2026.)*

### **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

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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.

*(Added by Stats. 2025, Ch. 327, Sec. 23. (SB 707) Effective January 1, 2026.)*

### **54957.10.**

Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions to discuss a local agency employee’s application for early withdrawal of funds in a deferred compensation plan when the application is based on financial hardship arising from an unforeseeable emergency due to illness, accident, casualty, or other extraordinary event, as specified in the deferred compensation plan.

*(Added by Stats. 2001, Ch. 45, Sec. 1. Effective January 1, 2002.)*

### **54958.**

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

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

### **54959.**

Each member of a legislative body who attends a meeting of that legislative body where action is taken in violation of any provision of this chapter, and where the member intends to deprive the public of information to which the member knows or has reason to know the public is entitled under this chapter, is guilty of a misdemeanor.

*(Amended by Stats. 1994, Ch. 32, Sec. 18. Effective March 30, 1994. Operative April 1, 1994, by Sec. 23 of Ch. 32.)*

### **54960.**

(a) The district attorney or any interested person may commence an action by mandamus, injunction, or declaratory relief for the purpose of stopping or preventing violations or threatened violations of this chapter by members of the legislative body of a local agency or to determine the applicability of this chapter to ongoing actions or threatened future actions of the legislative body, or to determine the applicability of this chapter to past actions of the legislative body, subject to Section 54960.2, or to determine whether any rule or action by the legislative body to penalize or otherwise discourage the expression of one or more of its members is valid or invalid under the laws of this state or of the United States, or to compel the legislative body to audio record its closed sessions as hereinafter provided.

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(b) The court in its discretion may, upon a judgment of a violation of Section 54956.7, 54956.8, 54956.9, 54956.95, 54957, or 54957.6, order the legislative body to audio record its closed sessions and preserve the audio recordings for the period and under the terms of security and confidentiality the court deems appropriate.

(c) (1) Each recording so kept shall be immediately labeled with the date of the closed session recorded and the title of the clerk or other officer who shall be custodian of the recording.

(2) The audio recordings shall be subject to the following discovery procedures:

(A) In any case in which discovery or disclosure of the audio recording is sought by either the district attorney or the plaintiff in a civil action pursuant to Section 54959, 54960, or 54960.1 alleging that a violation of this chapter has occurred in a closed session that has been recorded pursuant to this section, the party seeking discovery or disclosure shall file a written notice of motion with the appropriate court with notice to the governmental agency that has custody and control of the audio recording. The notice shall be given pursuant to subdivision (b) of Section 1005 of the Code of Civil Procedure.

(B) The notice shall include, in addition to the items required by Section 1010 of the Code of Civil Procedure, all of the following:

(i) Identification of the proceeding in which discovery or disclosure is sought, the party seeking discovery or disclosure, the date and time of the meeting recorded, and the governmental agency that has custody and control of the recording.

(ii) An affidavit that contains specific facts indicating that a violation of the act occurred in the closed session.

(3) If the court, following a review of the motion, finds that there is good cause to believe that a violation has occurred, the court may review, in camera, the recording of that portion of the closed session alleged to have violated the act.

(4) If, following the in camera review, the court concludes that disclosure of a portion of the recording would be likely to materially assist in the resolution of the litigation alleging violation of this chapter, the court shall, in its discretion, make a certified transcript of the portion of the recording a public exhibit in the proceeding.

(5) This section shall not permit discovery of communications that are protected by the attorney-client privilege.

*(Amended by Stats. 2012, Ch. 732, Sec. 1. (SB 1003) Effective January 1, 2013.)*

### **54960.1.**

(a) The district attorney or any interested person may commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that an action taken by a legislative body of a local agency in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5 is null and void under this section. Nothing in this chapter shall be construed

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to prevent a legislative body from curing or correcting an action challenged pursuant to this section.

(b) Prior to any action being commenced pursuant to subdivision (a), the district attorney or interested person shall make a demand of the legislative body to cure or correct the action alleged to have been taken in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5. The demand shall be in writing and clearly describe the challenged action of the legislative body and nature of the alleged violation.

(c) (1) The written demand shall be made within 90 days from the date the action was taken unless the action was taken in an open session but in violation of Section 54954.2, in which case the written demand shall be made within 30 days from the date the action was taken.

(2) Within 30 days of receipt of the demand, the legislative body shall cure or correct the challenged action and inform the demanding party in writing of its actions to cure or correct or inform the demanding party in writing of its decision not to cure or correct the challenged action.

(3) If the legislative body takes no action within the 30-day period, the inaction shall be deemed a decision not to cure or correct the challenged action, and the 15-day period to commence the action described in subdivision (a) shall commence to run the day after the 30-day period to cure or correct expires.

(4) Within 15 days of receipt of the written notice of the legislative body's decision to cure or correct, or not to cure or correct, or within 15 days of the expiration of the 30-day period to cure or correct, whichever is earlier, the demanding party shall be required to commence the action pursuant to subdivision (a) or thereafter be barred from commencing the action.

(d) An action taken that is alleged to have been taken in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5 shall not be determined to be null and void if any of the following conditions exist:

(1) The action taken was in substantial compliance with Sections 54953, 54954.2, 54954.5, 54954.6, 54956, and 54956.5.

(2) The action taken was in connection with the sale or issuance of notes, bonds, or other evidences of indebtedness or any contract, instrument, or agreement thereto.

(3) The action taken gave rise to a contractual obligation, including a contract let by competitive bid other than compensation for services in the form of salary or fees for professional services, upon which a party has, in good faith and without notice of a challenge to the validity of the action, detrimentally relied.

(4) The action taken was in connection with the collection of any tax.

(5) Any person, city, city and county, county, district, or any agency or subdivision of the state alleging noncompliance with subdivision (a) of Section 54954.2, Section 54956, or Section 54956.5, because of any defect, error, irregularity, or omission in the notice given pursuant to those provisions, had actual notice of the item of business at least 72 hours prior to the meeting at which the action was taken, if the meeting was noticed pursuant to Section 54954.2, or 24 hours prior to the meeting at which the action was taken if the meeting was

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noticed pursuant to Section 54956, or prior to the meeting at which the action was taken if the meeting is held pursuant to Section 54956.5.

(e) During any action seeking a judicial determination pursuant to subdivision (a) if the court determines, pursuant to a showing by the legislative body that an action alleged to have been taken in violation of Section 54953, 54954.2, 54954.5, 54954.6, 54956, or 54956.5 has been cured or corrected by a subsequent action of the legislative body, the action filed pursuant to subdivision (a) shall be dismissed with prejudice.

(f) The fact that a legislative body takes a subsequent action to cure or correct an action taken pursuant to this section shall not be construed or admissible as evidence of a violation of this chapter.

*(Amended by Stats. 2002, Ch. 454, Sec. 23. Effective January 1, 2003.)*

### **54960.2.**

(a) The district attorney or any interested person may file an action to determine the applicability of this chapter to past actions of the legislative body pursuant to subdivision (a) of Section 54960 only if all of the following conditions are met:

(1) The district attorney or interested person alleging a violation of this chapter first submits a cease and desist letter by postal mail or facsimile transmission to the clerk or secretary of the legislative body being accused of the violation, as designated in the statement pertaining to that public agency on file pursuant to Section 53051, or if the agency does not have a statement on file designating a clerk or a secretary, to the chief executive officer of that agency, clearly describing the past action of the legislative body and nature of the alleged violation.

(2) The cease and desist letter required under paragraph (1) is submitted to the legislative body within nine months of the alleged violation.

(3) The time during which the legislative body may respond to the cease and desist letter pursuant to subdivision (b) has expired and the legislative body has not provided an unconditional commitment pursuant to subdivision (c).

(4) Within 60 days of receipt of the legislative body's response to the cease and desist letter, other than an unconditional commitment pursuant to subdivision (c), or within 60 days of the expiration of the time during which the legislative body may respond to the cease and desist letter pursuant to subdivision (b), whichever is earlier, the party submitting the cease and desist letter shall commence the action pursuant to subdivision (a) of Section 54960 or thereafter be barred from commencing the action.

(b) The legislative body may respond to a cease and desist letter submitted pursuant to subdivision (a) within 30 days of receiving the letter. This subdivision shall not be construed to prevent the legislative body from providing an unconditional commitment pursuant to subdivision (c) at any time after the 30-day period has expired, except that in that event the court shall award court costs and reasonable attorney fees to the plaintiff in an action brought pursuant to this section, in accordance with Section 54960.5.

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(c) (1) If the legislative body elects to respond to the cease and desist letter with an unconditional commitment to cease, desist from, and not repeat the past action that is alleged to violate this chapter, that response shall be in substantially the following form:

To \_\_\_\_\_ :

The [name of legislative body] has received your cease and desist letter dated [date] alleging that the following described past action of the legislative body violates the Ralph M. Brown Act:

[Describe alleged past action, as set forth in the cease and desist letter submitted pursuant to subdivision (a)]

In order to avoid unnecessary litigation and without admitting any violation of the Ralph M. Brown Act, the [name of legislative body] hereby unconditionally commits that it will cease, desist from, and not repeat the challenged past action as described above.

The [name of legislative body] may rescind this commitment only by a majority vote of its membership taken in open session at a regular meeting and noticed on its posted agenda as “Rescission of Brown Act Commitment.” You will be provided with written notice, sent by any means or media you provide in response to this message, to whatever address or addresses you specify, of any intention to consider rescinding this commitment at least 30 days before any such regular meeting. In the event that this commitment is rescinded, you will have the right to commence legal action pursuant to subdivision (a) of Section 54960 of the Government Code. That notice will be delivered to you by the same means as this commitment, or may be mailed to an address that you have designated in writing.

Very truly yours,

\_\_\_\_\_  
[Chairperson or acting chairperson of the legislative body]

(2) An unconditional commitment pursuant to this subdivision shall be approved by the legislative body in open session at a regular or special meeting as a separate item of business, and not on its consent agenda.

(3) An action shall not be commenced to determine the applicability of this chapter to any past action of the legislative body for which the legislative body has provided an unconditional commitment pursuant to this subdivision. During any action seeking a judicial determination regarding the applicability of this chapter to any past action of the legislative body pursuant to subdivision (a), if the court determines that the legislative body has provided an unconditional commitment pursuant to this subdivision, the action shall be dismissed with prejudice. Nothing in this subdivision shall be construed to modify or limit the existing ability of the district attorney or any interested person to commence an action to determine the applicability of this chapter to ongoing actions or threatened future actions of the legislative body.

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(4) Except as provided in subdivision (d), the fact that a legislative body provides an unconditional commitment shall not be construed or admissible as evidence of a violation of this chapter.

(d) If the legislative body provides an unconditional commitment as set forth in subdivision (c), the legislative body shall not thereafter take or engage in the challenged action described in the cease and desist letter, except as provided in subdivision (e). Violation of this subdivision shall constitute an independent violation of this chapter, without regard to whether the challenged action would otherwise violate this chapter. An action alleging past violation or threatened future violation of this subdivision may be brought pursuant to subdivision (a) of Section 54960, without regard to the procedural requirements of this section.

(e) The legislative body may resolve to rescind an unconditional commitment made pursuant to subdivision (c) by a majority vote of its membership taken in open session at a regular meeting as a separate item of business not on its consent agenda, and noticed on its posted agenda as “Rescission of Brown Act Commitment,” provided that not less than 30 days prior to such regular meeting, the legislative body provides written notice of its intent to consider the rescission to each person to whom the unconditional commitment was made, and to the district attorney. Upon rescission, the district attorney or any interested person may commence an action pursuant to subdivision (a) of Section 54960. An action under this subdivision may be brought pursuant to subdivision (a) of Section 54960, without regard to the procedural requirements of this section.

*(Added by Stats. 2012, Ch. 732, Sec. 2. (SB 1003) Effective January 1, 2013.)*

### **54960.5.**

A court may award court costs and reasonable attorney fees to the plaintiff in an action brought pursuant to Section 54960, 54960.1, or 54960.2 where it is found that a legislative body of the local agency has violated this chapter. Additionally, when an action brought pursuant to Section 54960.2 is dismissed with prejudice because a legislative body has provided an unconditional commitment pursuant to paragraph (1) of subdivision (c) of that section at any time after the 30-day period for making such a commitment has expired, the court shall award court costs and reasonable attorney fees to the plaintiff if the filing of that action caused the legislative body to issue the unconditional commitment. The costs and fees shall be paid by the local agency and shall not become a personal liability of any public officer or employee of the local agency.

A court may award court costs and reasonable attorney fees to a defendant in any action brought pursuant to Section 54960 or 54960.1 where the defendant has prevailed in a final determination of such action and the court finds that the action was clearly frivolous and totally lacking in merit.

*(Amended by Stats. 2012, Ch. 732, Sec. 3. (SB 1003) Effective January 1, 2013.)*

### **54961.**

(a) No legislative body of a local agency shall conduct any meeting in any facility that prohibits the admittance of any person, or persons, on the basis of ancestry or any characteristic listed or defined in Section 11135, or which is inaccessible to disabled persons, or where members of the

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public may not be present without making a payment or purchase. This section shall apply to every local agency as defined in Section 54951.

(b) No notice, agenda, announcement, or report required under this chapter need identify any victim or alleged victim of tortious sexual conduct or child abuse unless the identity of the person has been publicly disclosed.

*(Amended by Stats. 2007, Ch. 568, Sec. 35. Effective January 1, 2008.)*

### **54962.**

Except as expressly authorized by this chapter, or by Sections 1461, 1462, 32106, and 32155 of the Health and Safety Code, or by Sections 37606, 37606.1, and 37624.3 of the Government Code as they apply to hospitals, or by any provision of the Education Code pertaining to school districts and community college districts, no closed session may be held by any legislative body of any local agency.

*(Amended by Stats. 2006, Ch. 157, Sec. 2. Effective January 1, 2007.)*

### **54963.**

(a) A person may not disclose confidential information that has been acquired by being present in a closed session authorized by Section 54956.7, 54956.8, 54956.86, 54956.87, 54956.9, 54957, 54957.6, 54957.8, or 54957.10 to a person not entitled to receive it, unless the legislative body authorizes disclosure of that confidential information.

(b) For purposes of this section, “confidential information” means a communication made in a closed session that is specifically related to the basis for the legislative body of a local agency to meet lawfully in closed session under this chapter.

(c) Violation of this section may be addressed by the use of such remedies as are currently available by law, including, but not limited to:

(1) Injunctive relief to prevent the disclosure of confidential information prohibited by this section.

(2) Disciplinary action against an employee who has willfully disclosed confidential information in violation of this section.

(3) Referral of a member of a legislative body who has willfully disclosed confidential information in violation of this section to the grandjury.

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

(e) A local agency may not take any action authorized by subdivision (c) against a person, nor shall it be deemed a violation of this section, for doing any of the following:

(1) Making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts to a district attorney or grand jury that are necessary to establish the illegality of an action taken by a legislative body of a local

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agency or the potential illegality of an action that has been the subject of deliberation at a closed session if that action were to be taken by a legislative body of a local agency.

(2) Expressing an opinion concerning the propriety or legality of actions taken by a legislative body of a local agency in closed session, including disclosure of the nature and extent of the illegal or potentially illegal action.

(3) Disclosing information acquired by being present in a closed session under this chapter that is not confidential information.

(f) Nothing in this section shall be construed to prohibit disclosures under the whistleblower statutes contained in Section 1102.5 of the Labor Code or Article 4.5 (commencing with Section 53296) of Chapter 2 of this code.

*(Added by Stats. 2002, Ch. 1119, Sec. 1. Effective January 1, 2003.)*



**HUMBOLDT WASTE  
MANAGEMENT AUTHORITY**

***Staff Report***

**DATE:** December 30, 2025. For Meeting of: January 8, 2026

**FROM:** Helder Morais, Interim Director of Operations

**SUBJECT:** Item 4)  
Receive Presentation on Mattress Recycling

**RECOMMENDED ACTION: Informational Only**  
1) Receive Presentation

**DISCUSSION:**

Staff will provide a presentation to the Board regarding the mattress recycling program at the Hawthorne Street Transfer Station.

**FISCAL IMPACT**

None.



**HUMBOLDT WASTE  
MANAGEMENT AUTHORITY**

***Staff Report***

**DATE:** December 30, 2025. For Meeting of: January 8, 2026

**FROM:** Eric Keller-Heckman, Executive Director

**SUBJECT:** Item 5)  
Receive Update on Organics in Humboldt County

**RECOMMENDED ACTION:      **Informational Only****  
1) Receive Update on Organics in Humboldt County

**DISCUSSION:**  
Staff will provide an update on past work and current status of Organics in Humboldt County.

**FISCAL IMPACT**  
None.