

## **Primer on City Council Teleconferencing Rules (post SB 707)**

**Teleconference Rules (Standard/Traditional)** (Gov. Code 54953) *An elected official is on vacation and wishes to teleconference in from the vacation location*

1. Agendas must be posted at all teleconference physical locations
2. Each teleconference location must be listed on the meeting notice and agenda
3. Each teleconference location must be accessible to the public, allowing for public comment.
4. At least a quorum of the members must participate from locations within the City.
5. All votes must be by roll call (oral, no electronic voting system).
6. Special issues for members with disabilities

**Alternative Teleconference Rules (Just Cause)** (Gov. Code 54953.8.3.) *An elected official may participate remotely w/o posting physical location on agenda if ALL reqs. met:*

1. At least a quorum of the members must participate in person from a singular physical location within the City and is open to the public
2. Notification - Notification at the earliest opportunity possible, including at the start of a regular meeting, of need to participate remotely for just cause, including a general description of the "just cause".
3. Audio & Visual Participation - participate through both audio and visual technology.
4. Limited number of Meetings – "Just Cause" remote participation allowed for five meetings per year (b/c regular meetings occur twice per month)
5. Meeting Minutes must include the reason to participate remotely. (Do not disclose any medical diagnosis, disability, or personal medical information.)
6. "Just Cause" Means:
  - Childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner
  - Contagious illness.
  - A need related to a physical/mental condition that is not a disability.
  - Travel while on official business of the legislative body or other local agency.
  - An immunocompromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner of the member
  - A physical or family medical emergency that prevents a member from attending in person.
  - Military service obligations (See 54953.8.3 for legal reqs.)

**Special issues for members with disabilities** (temporary or permanent) may participate in any meeting of the legislative body by remote participation as a reasonable accommodation.

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

**Definition of "Disability"** with respect to an individual (US Code 42 §12102):

1. a physical or mental impairment that substantially limits one or more of the major life activities of such individual;
2. a record of such an impairment; or
3. being regarded as having such an impairment.