

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF RIVERSIDE, CALIFORNIA, AMENDING  
CHAPTER 4.05 OF THE RIVERSIDE MUNICIPAL CODE, THE SUNSHINE  
ORDINANCE.

The City Council of the City of Riverside, California, does ordain as follows:

Section 1: Section 4.05.010 of the Riverside Municipal Code is amended as follows:

Words or phrases in this ordinance shall be defined pursuant to the Ralph M. Brown Act,  
Government Code § 54950 et. seq. and the Public Records Act, Government Code § 6250 et. seq.,  
unless otherwise specified as follows:

(A) *Advisory Body* shall mean:

(1) Any advisory board, commission, or task force established by City Charter,  
ordinance, or by motion or resolution of the City Council, except for a Policy Body;

(2) Any advisory board, commission, or task force created an appointed by the  
Mayor, which exists for longer than a 12-month period; and

(3) Any standing committee of any Advisory Body.

(BA) *Agenda* shall mean the agenda of a local body which has scheduled the meeting. The  
agenda shall meet the requirements of Government Code § 54954.2, except that the timing  
requirements of this ordinance shall control. For closed sessions, the agenda shall meet the  
requirements set forth in Government Code § 54954.5. The agenda shall contain a brief, general  
description of each item of business to be transacted or discussed during the meeting and shall avoid  
the use of abbreviations or acronyms not in common usage and terms whose meaning is not known  
to the general public. The agenda may refer to explanatory documents, including but not limited to,  
correspondence or reports, in the agenda related material. A description of an item on the agenda is  
adequate if it is sufficiently clear and specific to alert a person of average intelligence and education  
whose interests are affected by the item that he or she may have reason to attend the meeting or seek  
more information on the item.

(CB) *Agenda related materials* shall mean the agenda, all reports, correspondence and any  
other document prepared and forwarded by staff to any local body, and other documents forwarded

1 to the local body, which provide background information or recommendations concerning the  
2 subject matter of any agenda item. Notwithstanding the foregoing, agenda related materials shall not  
3 include: 1) the written text or visual aids for any oral presentation so long as such text or aids are not  
4 substituted for, or submitted in lieu of, a written report that would otherwise be required to meet the  
5 filing deadlines of this ordinance, and 2) written amendments or recommendations from the Mayor  
6 or a member of a local body pertaining to an item contained in agenda related materials previously  
7 filed pursuant to Section 4.05.050 or Section 4.05.060.

8 ~~(D) Business Day shall mean any weekday, except for Saturdays, Sundays, or City-~~  
9 ~~observed holidays~~

10 ~~(EE)~~ City shall mean the City of Riverside.

11 ~~(FD)~~ Local Body shall mean any Policy Body or Advisory Body, unless the context in  
12 which it is used clearly indicates otherwise.;

13 ~~(1) — The Riverside City Council;~~

14 ~~(2) — Any board, commission, task force or committee which is established by City~~  
15 ~~Charter, ordinance, or by motion or resolution of the City Council;~~

16 ~~(3) — Any advisory board, commission or task force created and appointed by the~~  
17 ~~Mayor and which exists for longer than a 12-month period; and,~~

18 ~~(4) — Any standing committee of any body specified in subsections D.1., 2., or 3.~~

19 "Local body" shall not mean any congregation or gathering which consists solely of  
20 employees of the City of Riverside.

21 ~~(GE)~~ Meeting shall mean any congregation of a majority of the members of a local body at  
22 the same time and location, including teleconference location as permitted by Government Code §  
23 54953, to hear, discuss, deliberate, or take action on any item that is within the subject matter  
24 jurisdiction of the local body and shall also mean a meal or social gathering of a majority of the  
25 members of a local body immediately before, during or after a meeting of a local body;

26 (1) A majority of the members of a local body shall not, outside a meeting  
27 defined in this subsection ~~GE.~~, use a series of communications of any kind, directly or through  
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1 intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject  
2 matter jurisdiction of the local body.

3 (2) Subparagraph ~~GE~~.1. shall not be construed as preventing an employee or  
4 official of a local agency, from engaging in separate conversations or communications outside of a  
5 meeting defined in this subsection ~~GE~~. with members of a local body in order to answer questions or  
6 provide information regarding a matter that is within the subject matter jurisdiction of the local  
7 agency, if that person does not communicate to members of the local body the comments or position  
8 of any other member or members of the local body.

9 (3) Nothing in this subsection ~~GE~~. shall impose the requirements of this chapter  
10 upon any of the following:

11 (a) Individual contacts or conversations between a member of a local body  
12 and any other person that do not violate subparagraphs ~~GE~~.1. and 2.;

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

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

28

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

7 (e) The attendance of a majority of the members of a local body at a  
8 purely social and ceremonial occasion, provided that a majority of the members do  
9 not discuss among themselves business of a specific nature that is within the subject  
10 matter jurisdiction of the local body of the local agency.

11 (~~HF~~) Notice shall mean the posting of an agenda in a location that is freely accessible to the  
12 public 24 hours a day and as additionally specified in Section 4.05.050 and Section 4.05.060.

13 (~~IG~~) On-Line shall mean accessible by computer without charge to the user.

14 (~~J~~) Policy Body shall mean:

15 (1) The Riverside City Council;

16 (2) Board of Ethics, Board of Public Utilities; Charter Review Committee,

17 Community Police Review Commission, and Planning Commission;

18 (3) Any standing committee of any Policy Body.

19 (~~KH~~) *Software or hardware impairment* means the City is unable to utilize computer  
20 software, hardware and/or network services to produce agendas, agenda related material or to post  
21 agendas on-line due to inoperability of software or hardware caused by the introduction of a  
22 malicious program (including but not limited to a computer virus), electrical outage affecting the  
23 City's computer network, or unanticipated system or equipment failure. "Software or Hardware  
24 Impairment" may also include situations when the City is unable to access the internet due to  
25 required or necessary maintenance or the installation of system upgrades that necessitates de-  
26 activating the system network; however, the City shall make reasonable efforts to avoid a delay in  
27 the preparation, distribution, or posting of agendas and agenda related material as a result of required  
28 or necessary maintenance or installation of system upgrades.

(L1) *Standing Committee* shall mean any number of members of a local body which totals less than a quorum and which has a continuing subject matter jurisdiction or a meeting schedule fixed by charter, ordinance, resolution or formal action of the local body.

**Section 2:** Section 4.05.030 of the Riverside Municipal Code is amended as follows:

#### **4.05.030 Meetings to be open and public: Application of Brown Act.**

All meetings of local bodies specified in Section 4.05.010~~(D)~~ and Section 4.05.020 shall be open and public, to the same extent as if that body were governed by the provisions of the Ralph M. Brown Act (Government Code § 54950) unless greater public access is required by this ordinance, in which case this ordinance shall be applicable.

Section 3: Section 4.05.040 of the Riverside Municipal Code is amended as follows:

#### 4.05.040 Conduct of business: Time and place for meetings.

(A) Every local body specified in Section 4.05.010.FD shall establish by formal action the time and place for holding regular meetings and shall conduct such regular meetings in accordance with such resolution or formal action.

(B) Regular and special meetings of local bodies specified in Section 4.05.010, ~~FD~~, shall be held within the City of Riverside except to do any of the following:

• • •

(C) If a regular meeting for any local body falls on a holiday, the meeting shall be held on the next scheduled regular meeting day unless otherwise noticed as a special meeting for which notice is given ~~at least five calendar days in advance~~as required by this Chapter.

• • •

Section 3: Section 4.05.050 of the Riverside Municipal Code is amended as follows:

**4.05.050 - Notice and agenda requirements: Regular meetings.**

(A) *Twelve day advance notice requirement for regular meetings of the ~~City Council, City Council Standing Committees, and all City Boards and Commissions~~Policy Bodies. The ~~City Council, City Council Standing Committees, and all City Boards and Commissions~~All Policy Bodies shall provide notice before any regular meeting by:*

1 (1) Posting a copy or image of the agenda in a location freely accessible to the  
2 public 24 hours a day no later than 12 days before the date of the meeting; and

3 (2) Posting a copy or image of the agenda on-line at the local body's website no  
4 later than 12 days before the date of the meeting. Notwithstanding Section 4.05.050.~~ED~~, the failure  
5 to timely post a copy or image of the agenda online because of software or hardware failure, as  
6 defined in Section 4.05.010.~~KH~~, shall not constitute a defect in the notice for a regular meeting, if  
7 the ~~local body~~Policy Body complies with all other posting and noticing requirements.

8 (B) *Supplemental agenda and related materials requirements for regular meetings of the*  
9 *~~Policy Bodies and Advisory Bodies-City Council, City Council Standing Committees, and all City~~*  
10 *~~Boards and Commissions.~~* Notwithstanding the notice provisions of Section 4.05.050.A and  
11 4.05.050(I), the City Council, City Council Standing Committees, and all City Boards and  
12 CommissionsPolicy Bodies and Advisory Bodies may amend or supplement a posted agenda or  
13 agenda-related materials no later than 72 hours before a regular meeting and only for the following  
14 reasons or under the following conditions:

15 (1) To add an item due to an emergency or urgency, provided the local body  
16 makes the same findings as required by Section 4.05.050.D before taking action;

17 (2) To delete or withdraw any item from a posted agenda however, nothing herein  
18 shall limit the ability of a local body to delete or withdraw an item during the meeting;

19 (3) To provide additional information to supplement the agenda-related material  
20 previously published with the agenda provided that the additional information was not known to  
21 staff or considered to be relevant at the time the agenda-related materials were filed. Examples of  
22 supplemental material permitted by this section are reports responding to questions or requests raised  
23 by members of a local body after posting and filing of the 12-day agenda and materials, and analyses  
24 or opinions of the item by the Office of the City Attorney, any member of the City Council, or the  
25 Mayor;

26 (4) To correct errors or omissions, or to change a stated financial amount, or to  
27 clarify or conform the agenda title to accurately reflect the nature of the action to be taken on the  
28 agenda;

1 (5) To continue an agendized item to a future regular meeting of the local body  
2 provided that members of the public are given an opportunity to address the local body on the  
3 limited question whether to continue the item to a future meeting.

4 (C) *Submittal of additional documents.* The Mayor, Council Members, City Manager,  
5 City Attorney, and/or City Clerk, may submit materials that are necessary to the deliberation of an  
6 agendized matter that were not available prior to the publishing of the agenda material, to the City  
7 Clerk at any time prior to an agendized matter being heard. Copies of such documents shall be made  
8 available to the public at the related meeting. Documents submitted by outside parties may be  
9 distributed to and accepted by the local body at any time prior to or during the related meeting.  
10 Documents submitted by outside parties prior to the meeting shall be made available to the public at  
11 the related meeting. Documents submitted by outside parties at the meeting shall be made available  
12 to the public the following business day.

13 (D) *Excuse of Sunshine Notice Requirements.* If an item appears on an agenda but the  
14 local body fails to meet any of the additional notice requirements under this section, the local body  
15 may take action only if the minimum notice requirements of the Riverside City Charter and the  
16 Brown Act have been met and one of the following applies:

17 (1) The local body, by a two-thirds vote of those members present, adopts a  
18 motion determining that, upon consideration of the facts and circumstances, it was not reasonably  
19 possible to meet the additional notice requirements under this section and any one of the following  
20 exists:

21 (a) The need to take immediate action on the item is required to avoid a  
22 substantial impact that would occur if the action were deferred to a subsequent special  
23 or regular meeting; or,

24 (b) There is a need to take immediate action which relates to federal, state,  
25 county or other governmental agency legislation or action or the local body's  
26 eligibility for any grant or gift; or,

27 ~~(c) The item relates to a purely ceremonial or commendatory action.~~

1 (2) If the Mayor or a Council Member, with the concurrence of two other Council  
2 Members, believes an item is urgent, which urgency is detailed, in writing, in the Council Report,  
3 and affirmed prior to its consideration by four affirmative votes of the City Council, and the failure  
4 to meet any additional notice requirements was due to: ~~(a) The need to take immediate action,~~  
5 which came to the attention of the local body after the agenda was posted. ~~or;~~

6 ~~(b) A software or hardware impairment as defined by Section 4.05.010 H~~  
7 ~~and such additional notice requirements are satisfied no later than 72 hours before the date of the~~  
8 ~~meeting.~~

9 (E) Exceptions to the Sunshine Notice Requirements. The additional notice requirements  
10 under this section shall not apply to the following types of items, so long as the minimum notice  
11 requirements of the Riverside City Charter and the Brown Act have been met:

12 (1) The item relates to a purely ceremonial or commendatory action.

13 (2) A software or hardware impairment as defined by Section 4.05.010.K  
14 occurred which prevented compliance with the additional notice requirements and the additional  
15 notice requirements were satisfied no later than 72 hours before the date of the meeting.

16 (3) The item is a closed session item authorized by the Brown Act and all  
17 necessary agenda disclosure requirements of the Brown Act have been met~~relating to ongoing,~~  
18 ~~proposed or threatened litigation.~~

19 (4) The item was continued by the local body at a regularly noticed meeting to a  
20 subsequent meeting.

21 ~~(F)~~ (E) *Action on items not appearing on the agenda.* Notwithstanding subsection (D) of this  
22 section, a local body may take action on items not appearing on a posted agenda only if the matter is  
23 determined to be an emergency by a majority vote of the local body. An emergency shall be defined  
24 as a work stoppage, crippling disaster or other activity exists which severely impairs public health,  
25 safety or both.

26 ~~(G)~~ (F) *Future meeting.* Nothing in this section shall prohibit a local body from taking action  
27 to schedule items for a future meeting to which regular or special meeting notice requirements will  
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1 apply, or to distribute agenda-related materials relating to items added pursuant to Section  
2 4.05.050.D or 4.05.050.E before or during a meeting.

3 (H) *Conforming a document.* Nothing in this section shall prohibit the office of the City  
4 Attorney from conforming a document to comply with technical requirements as to form and  
5 legality.

6 (I) Three Business Day Notice and Agenda requirements for Advisory Bodies. All  
7 Advisory Bodies shall provide notice before any regular meeting by:

8 (1) Posting a copy or image of the agenda in a location freely accessible to the  
9 public 24 hours a day no later than 3 business days before the date of the meeting; and

10 (2) Posting a copy or image of the agenda on-line at the local body's website no  
11 later than 3 business days before the date of the meeting. Notwithstanding Section 4.05.050.E, the  
12 failure to timely post a copy or image of the agenda online because of software or hardware failure,  
13 as defined in Section 4.05.010.K, shall not constitute a defect in the notice for a regular meeting, if  
14 the local body complies with all other posting and noticing requirements.

15 Section 4: Section 4.05.060 of the Riverside Municipal Code is amended as follows:

16 **4.05.060 - Notice and agenda requirements: Special meetings.**

17 (A) Special meetings of any ~~local body~~Policy Body may be called at any time by the  
18 presiding officer thereof or by a majority of the members thereof. All ~~local bodies~~Policy Bodies  
19 calling a special meeting shall provide notice by:

20 (1) Posting a copy or image of the agenda in a location freely accessible to the  
21 public at least five calendar days before the time of the meeting set forth in the agenda; and,

22 (2) Delivering a copy or image of the agenda to each member of the local body, to  
23 each local newspaper of general circulation, and to each media organization which has previously  
24 requested notice in writing, so that a copy or image of the agenda is received at least 48 hours  
25 (excluding Saturdays, Sundays and holidays) before the time of the meeting set forth in the agenda.  
26 Receipt of the agenda shall be presumed upon reasonable proof that delivery was made.

27 (B) ~~Local bodies specified in Section 4.05.010.D~~Policy Bodies shall, in addition to the  
28 noticing requirements of this section, post a copy or image of the agenda for any special meeting on-

1 line at the ~~local body's~~Policy Body's website at least five calendar days before the time of the  
2 meeting set forth in the agenda. Failure to timely post a copy or image of the agenda online because  
3 of software or hardware impairment, as defined in Section 4.05.010.KH, shall not constitute a defect  
4 in the notice for a special meeting if the ~~local body~~Policy Body complies with all other posting and  
5 noticing requirements.

6 (C) No business other than that set forth in the agenda shall be considered at a special  
7 meeting. Each special meeting shall be held at the regular meeting place of the local body except that  
8 the City Manager may designate an alternative meeting location provided that such alternative  
9 location is specified in the agenda and that notice pursuant to this section is given at least 12 days  
10 prior to the special meeting. This 12-day notice requirement shall not apply if the alternative location  
11 is at the same address at which regular meetings of the ~~local body~~Policy Body occur.

12 (D) To the extent practicable, the presiding officer or the majority of members of any  
13 ~~local body~~Policy Body may cancel a special meeting by delivering notice of cancellation in the same  
14 manner and to the same persons as required for the notice of such meeting.

15 (E) Special meetings may not be noticed on the same day as a previously scheduled  
16 regular meeting that was not noticed in compliance with this ordinance if the special meeting is  
17 called to consider any of the items that were included in the notice for such regular meeting.

18 (F) Notwithstanding the provisions of subsection (A) through (C) above, a Special  
19 Meeting of a Policy Body may occur on less than five days' notice if the Mayor or a majority of the  
20 Council, believe an item is urgent and there is a need to take immediate action. Any such Special  
21 Meeting must comply with the Special Meeting notice requirements of the Brown Act.

22 (G) To add additional materials or an item to a special meeting agenda after publication,  
23 subsections (C) and (D), respectively, of 4.05.050 above are to be followed and must comply with  
24 the requirements of the Brown Act.

25 (H) Advisory Bodies shall follow the requirements of the Brown Act for special meetings.

26 Section 5: Section 4.05.080 of the Riverside Municipal Code is amended as follows:

27 **4.05.080 - Minutes and recordings.**

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1 (A) ~~The City Council, City Council Standing Committees, Planning Commission, Board~~  
2 ~~of Public Utilities (not their committees), Budget Engagement Commission (not their committees)~~  
3 ~~and Community Police Review Commission (not their committees)~~ All Policy Bodies, except for the  
4 standing committees of the Board of Ethics, Board of Public Utilities, Charter Review Committee,  
5 Community Police Review Commission, and Planning Commission, shall make a visual and audio  
6 recording of every open meeting. Any recording of any open meeting shall be a public record subject  
7 to inspection and copying and shall not be erased, deleted or destroyed for at least five years,  
8 provided that if during that five-year period a written request for inspection or copying of any  
9 recording is made, the recording shall not be erased, deleted or destroyed until the requested  
10 inspection or copying has been accomplished. Inspection of any such recording shall be provided  
11 without charge on a player or computer made available by the local body.

12 ...

13 Section 6: The City Council has reviewed the matter and, based upon the facts and  
14 information contained in the staff reports, administrative record, and written and oral testimony,  
15 hereby finds that this ordinance is not subject to CEQA pursuant to Section 15061(b)(3) (General  
16 Rule), as it can be seen with certainty that approval of the project will not have an effect on the  
17 environment.

18 Section 7: The City Clerk shall certify to the adoption of this Ordinance and cause  
19 publication once in a newspaper of general circulation in accordance with Section 414 of the Charter  
20 of the City of Riverside. This Ordinance shall become effective on the 30th day after the date of its  
21 adoption.

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3 ADOPTED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2025.

5 \_\_\_\_\_  
6 PATRICIA LOCK DAWSON  
7 Mayor of the City of Riverside

8 Attest:

9 \_\_\_\_\_  
10 DONESIA GAUSE  
11 City Clerk of the City of Riverside

12 I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the  
13 foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the  
14 \_\_\_\_ day of \_\_\_\_\_, 2025, and that thereafter the said ordinance was duly and regularly  
15 adopted at a meeting of the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2025, by the  
16 following vote, to wit:

17 Ayes:

18 Noes:

19 Absent:

20 Abstain:

21 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the  
22 City of Riverside, California, this \_\_\_\_ day of \_\_\_\_\_, 2025.

23 \_\_\_\_\_  
24 DONESIA GAUSE  
25 City Clerk of the City of Riverside

26 \\rc-citylaw\cycom\wpdocs\d013\p049\00924370.doc  
27 24-2170.1 RMS 4/24/2025 3/13/3025