



Date: January 14, 2025

Honorable Mayor and Council Members:

Author and title: Kelly Carpenter, Town Clerk

Title: **Update to the Town's Teleconference Policies and Procedures**

Jen Callaway, Town Manager

Recommended Action: That the Town Council adopt Resolution 2025-05 amending the Town's Teleconference Policies and Procedures as to the number of meetings in which members of the Town's Brown Act legislative bodies are allowed to participate remotely.

Discussion:

As the Town Council knows, the Brown Act requires that all meetings of a legislative body of a local agency be open and public and that all persons be permitted to attend and participate. For certain legislative bodies of the Town that are authorized to attend meetings remotely (Town Council, Planning Commission, Truckee Tax Measure Oversight Commission, Public Art Commission of Truckee and Historic Preservation Advisory Commission), the agendas must be posted at all teleconference locations with the identity of each teleconference location in the agenda, and each teleconference location must be accessible to the public.

Currently, and through January 1, 2026, certain legislative bodies of the Town identified above may use alternative teleconferencing in specified circumstances if, during the teleconference meeting, at least a quorum of the members participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within Town limits.

Under this existing law, a member of a legislative body is allowed to participate in meetings by teleconference under the "just cause" or "emergency circumstances" exception for a period of no more than three consecutive months or 20 percent of the regular meetings within a calendar year.

Effective January 1, 2025, Assembly Bill (AB) 2302 amends existing teleconferencing requirements set forth in Government Code section 54953 in which members of a legislative body may participate remotely due to "just cause" or "emergency circumstances, as follows:

(f)(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 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.

Currently, the Town’s Teleconference Policy and Procedure provides that members may attend meetings by teleconference as follows:

- Town Council: Four (4) meetings per year
- Planning Commission: Two (2) meetings per year
- Truckee Tax Measure Oversight Commission: One (1) meeting per tenure
- Public Art Commission of Truckee: Two (2) meetings per year
- Historic Preservation Advisory Commission: Two (2) meetings per year

With the passage of AB 2302, the Town’s Teleconference Policy and Procedure will need to be updated to reflect that members may attend meetings by teleconference as follows:

- Town Council: Five (5) meetings per year
- Planning Commission: Two (2) meetings per year
- Truckee Tax Measure Oversight Commission: One (1) meeting per tenure
- Public Art Commission of Truckee: Two (2) meetings per year
- Historic Preservation Advisory Commission: Five (5) meetings per year

It is important to point out that while AB 2302 amended the number of meetings a member of legislative body may participate remotely due to “just cause” or “emergency circumstances” as noted above, the new legislation did not amend the previous restriction limiting the use of remote participation for “just cause.” Therefore, even after the provisions of AB 2302 go into effect, a member of a legislative body may not use the “just cause” exception for more than two meetings per calendar year, or any combination of the “just cause” or “emergency circumstances” exception beyond the total number identified above.

Included with this staff report is Attachment A, which identifies the redline changes to the Teleconferencing Policy, and Attachment B, in which the redlines changes have been accepted to show the final version of the Teleconferencing Policy.

Priority:

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| <input type="checkbox"/> Enhanced Communication | <input type="checkbox"/> Climate and Greenhouse Gas Reduction | <input type="checkbox"/> Housing |
| <input type="checkbox"/> Infrastructure Investment | <input type="checkbox"/> Emergency and Wildfire Preparedness | <input checked="" type="checkbox"/> Core Service |

Fiscal Impact: None

Public Communication: This staff report

Attachments:

Attachment A: Resolution 2025-05 (redline version)

Attachment B: Resolution 2025-05 (clean with redline changes accepted)