BOARD MEETING DATE: November 6, 2026 AGENDA NO. 4

PROPOSAL: Renewal Resolution to Authorize an Additional Six Months of Teleconferencing by South Coast AQMD's Eligible Subsidiary Bodies

SYNOPSIS: Senate Bill 707 (2025, Durazo) added California Government Code Section 54953.8.6 to the Ralph M. Brown Act. It enables remote teleconferencing by non-elected members of eligible subsidiary bodies. On May 1, 2026, the Governing Board approved such teleconferencing. To continue using this teleconferencing, the Governing Board must make similar findings every six months. This action is to adopt the attached resolution to extend the authorization for remote teleconferencing through May 2027.

COMMITTEE: No Committee Review

RECOMMENDED ACTION:
Adopt the attached resolution allowing certain members of eligible subsidiary bodies to teleconference pursuant to California Government Code Section 54953.8.6.

Wayne Nastri
Executive Officer

BTG:lal

Background
Senate Bill 707 (2025, Durazo) added California Government Code Section 54953.8.6 to the Ralph M. Brown Act. It enables remote teleconferencing by non-elected members of eligible subsidiary bodies. In May 2026, the Governing Board addressed this new section and found that eligible subsidiary bodies of the South Coast AQMD Governing Board can meet remotely pursuant to it. These findings must be renewed every six months for the teleconferencing authorization to remain in place. This item is to adopt the attached resolution to continue to allow certain members of eligible subsidiary bodies to meet remotely under Government Code Section 54953.8.6.

Proposal
The Governing Board's Authorization for teleconferencing has been successfully utilized by non-elected members of eligible subsidiary bodies at South Coast AQMD. The attached resolution would renew the findings to extend the authorization for six

more months. The use of such teleconferencing has proved successful and beneficial across multiple committees and advisory groups, consistent with the legislative purpose. Currently, Government Code Section 54953.8.6 will remain in effect until January 1, 2030. Accordingly, until then, the Board can vote to extend its authorization for teleconferencing for six-month periods.

Teleconferencing Under Government Code Section 54953.8.6
Under Government Code Section 54953.8.6, an eligible subsidiary body includes committees or other bodies of the South Coast AQMD, whether permanent or temporary, decisionmaking or advisory, created by charter, ordinance, or formal action of the Governing Board. An eligible subsidiary body cannot be a purely advisory committee composed solely of members of the legislative body that are less than a quorum of that body, except that Standing Committees of the Governing Board, irrespective of their composition, which have continuing subject matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of the Governing Board can be considered eligible subsidiary bodies. An eligible subsidiary body must also serve exclusively in an advisory capacity, is not authorized to take final action on legislation, regulations, contracts, licenses, permits, or any other entitlements, grants, or allocation of funds, and can include members who are elected officials, not elected officials, or some combination of both.

Certain members of an eligible subsidiary body can teleconference without complying with the noticing and posting requirements set forth in Government Code Section 54953(b)(1)-(3) so long as the following requirements are met: (1) the eligible subsidiary body designates one physical meeting location within the boundaries of the South Coast AQMD 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 Governing Board 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) the member of the eligible subsidiary body must visibly appear on camera during the open portion of the meeting that is publicly accessible via internet or other online platform, unless they are subject to exemptions that permit them to appear off camera; (3) the visual appearance of the member on camera may only cease when the appearance would be technologically infeasible; (4) if the member does not appear on camera due to challenges with internet connectivity, they must announce the reason for their nonappearance prior to turning their camera off; and (5) 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 under this new exception and must comply with the regular teleconferencing requirements under the Brown Act.

This teleconferencing authority does not apply to bodies that are authorized to take final action on contracts, or bodies that have primary jurisdiction over the budget, so this shall not apply to the Administrative Committee because it currently has authority to

make final approval on contracts for Governing Board Assistants and Consultants and has primary jurisdiction over the budget. This will apply to all other standing and advisory committees, including, but not limited to, the Legislative, Mobile Source, Stationary Source, Technology, Investment Oversight, Personnel, Environmental Justice, Local Government and Small Business Assistance, Board Assistant Briefing, and Young Leaders Advisory Council.

In order for eligible subsidiary bodies to continue teleconferencing under these provisions, the Governing Board must, by majority vote, make specific findings, including that it has considered the circumstances of the eligible subsidiary bodies, that teleconferencing will enhance public access to meetings, and that teleconference meetings will promote attraction, retention, and diversity of the eligible subsidiary body members. These findings must be renewed every six months thereafter.

As mentioned above, however, this provision does not apply to elected officials serving as a member of an eligible subsidiary body in their official capacity. Therefore, it will not apply to a County Supervisor, City Councilmember or Mayor, who has been selected based on that status to serve on the Governing Board. These Governing Board Members would need to comply with the traditional teleconferencing requirements.

Recommended Actions
This action is to adopt the attached resolution finding that eligible subsidiary bodies of the South Coast AQMD Governing Board can continue, for an additional six months, to meet under the teleconferencing provisions in Government Code Section 54953.8.6.

Attachment
Resolution

RESOLUTION 26-_____

A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT MAKING FINDINGS THAT ELIGIBLE SUBSIDIARY BODIES OF THE GOVERNING BOARD MAY USE THE REVISED TELECONFERENCING RULES ESTABLISHED IN CALIFORNIA GOVERNMENT CODE SECTION 54953.8.6, SUBJECT TO THE FINDINGS SET FORTH HERE.

WHEREAS, the Governing Board of the South Coast Air Quality Management District (South Coast AQMD) is committed to preserving and nurturing public access and participation in all meetings subject to the provisions of the Ralph M. Brown Act (Cal. Gov. Code §§54950-54963, hereafter Brown Act); and

WHEREAS, pursuant to the provisions of the Brown Act, all meetings of legislative bodies of the South Coast AQMD, which include the South Coast AQMD Governing Board, the South Coast AQMD Hearing Board, all Brown Act standing committees ultimately reporting to the South Coast AQMD Governing Board, and all advisory committees and groups created by charter or other formal action of the Board and subject to the Brown Act, (collectively, hereinafter, "legislative bodies"), are required to be open and public so that any member of the public may attend, participate, and watch the South Coast AQMD's legislative bodies conduct their business; and

WHEREAS, Senate Bill 707 (2025, Durazo) amended the Brown Act to provide additional teleconference options for "eligible subsidiary bodies," as defined in California Government Code Section 54953.8.6; and

WHEREAS, the South Coast AQMD Governing Board has established various committees that are advisory to the Board and are therefore considered "eligible subsidiary bodies" pursuant to California Government Code Section 54953.8.6; and

WHEREAS, authorizing additional teleconference options will increase participation in South Coast AQMD Committee meetings and meet the goals and objectives of the South Coast AQMD, as set forth in Health and Safety Code Section 40410 et seq.

WHEREAS, this resolution was considered in an open session of the South Coast AQMD Governing Board regular meeting.

NOW, THEREFORE, BE IT RESOLVED by the South Coast AQMD Governing Board as follows:

1. The South Coast AQMD Governing Board finds that the Board is an eligible legislative body pursuant to Government Code Section 54953.4.

2. Pursuant to Government Code Section 54953.8.6, the South Coast AQMD Governing Board finds that:

a. The Board has considered the circumstances of its standing and advisory committees as eligible subsidiary bodies.

b. Teleconference meetings of eligible subsidiary bodies would enhance public access to meetings of these bodies, and the public has been made aware of the type of remote participation, including audio-visual or telephonic, that will be made available at regularly scheduled meetings of the eligible subsidiary bodies and has been provided the opportunity to comment at an in-person meeting of the South Coast AQMD Governing Board authorizing those subsidiary bodies to meet entirely remotely;

c. Teleconference meetings of eligible subsidiary bodies would promote the attraction, retention, and diversity of eligible subsidiary body members; and

d. South Coast AQMD's standing and advisory committees are therefore authorized to meet telephonically pursuant to, and in accordance with, Government Code Section 54953.8.6. This shall not apply to the Administrative Committee. This will apply to all other standing and advisory committees, including, but not limited to, the Legislative, Mobile Source, Stationary Source, Technology, Investment Oversight, Personnel, Environmental Justice, Local Government and Small Business Assistance, Board Assistant Briefing, and Young Leaders Advisory Council.

3. The authorization related to Government Code Section 54953.8.6 will be subject to renewal every six months. Approvals by each standing and advisory committee for the use of teleconferencing pursuant to Section 54953.8.6 will remain in place on an ongoing basis, so long as the approvals are unchanged and so long as the supporting governing board resolution is renewed.

4. So long as Government Code Section 54953.8.6 enables it, staff are expected to recurrently bring resolutions to the Governing Board for its consideration to ensure continuous renewal of the findings to extend the authorization for SB 707 compliant remote teleconferencing.

Nothing herein is intended to limit the Board's, or any standing or advisory committee's use of any other telephonic or remote meeting option, including but not limited to, traditional teleconferencing, "just cause" teleconferencing, use of teleconference during a declared state or local emergency, or teleconferencing as a reasonable accommodation. To the extent any portion of this resolution is deemed unlawful, the unlawful portion shall be deemed severed.

DATE:_____ _____

Faye Thomas, Clerk of the Boards