



Joe A. Gonsalves & Son

Anthony D. Gonsalves

Jason A. Gonsalves

Paul A. Gonsalves

PROFESSIONAL LEGISLATIVE REPRESENTATION

105 L ST. - SUITE 200 - SACRAMENTO, CA 95814-3766

TEL 916-441-5080 • FAX 916-441-5081

Email: gonsalves@jagsah.com



TO: CITY OF CUPERTINO
LEGISLATIVE REVIEW COMMITTEE

FROM: ANTHONY, JASON, AND PAUL GONSALVES

SUBJECT: CONSIDER ADOPTING A POSITION ON AB 2449 (RUBIO) LOCAL
AGENCIES: TELECONFERENCES

DATE: MARCH 24, 2022

Bill Information:

The official text of AB 2449 can be found [here](#)¹:

Summary:

In response to the COVID-19 pandemic, Governor Newsom originally issued a series of Executive Orders to expand public access to meetings of local agencies by suspending some of the restrictions on teleconferencing. The expiration of the Executive Orders immediately gave way to the new AB 361 (Chapter 165, statutes of 2021), essentially allowing for the teleconference provisions detailed in the Executive Orders to continue during a period of emergency declaration. However, once an emergency declaration has ended, local agencies will again be required to comply with the provisions of the previous law.

Existing law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with those specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health.

AB 2449 would authorize a local agency to use teleconferencing without complying with those specified teleconferencing requirements if at least a quorum of the members of the legislative body participates in person from a singular location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. The bill would impose prescribed requirements for this exception relating to notice, agendas, the means and manner of access, and procedures for disruptions. The bill would require

¹ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB2449

the legislative body to implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with federal law.

AB 2449 will revise notice requirements to allow for greater public participation in teleconference meetings of local agencies. The bill does not require teleconferencing, rather it modernizes existing law to ensure greater public participation in meetings of the legislative bodies who choose to utilize teleconferencing.

Support:

Since AB 2449 has not yet been set for hearing, an official list of supporters is not yet available.

Opposition:

Since AB 2449 has not yet been set for hearing, an official list of opponents is not yet available.

Status:

AB 2449 has been referred to the Assembly Committee on Local Government.

Legislative Platform:

This bill falls under Cupertino's 2022 Legislative Platform in the Government Transparency Section pages 5-6, Item #1, "The City supports government transparency, public access to required meetings and records, and legislation that facilitates these principles while still allowing for necessary municipal operations and services."

Recommended Action:

Adopt a support position on AB 2449 and authorize the Mayor to send letters to the state legislature.