

**CITY OF TEMECULA
CITY COUNCIL POLICY**



Title:	Public Participation at Meetings and SB 707
Policy No.:	6
Approved:	September 28, 2021
Revised:	TBD

PURPOSE:

The purpose of this City Council policy is to ensure that the community can formally address their local representatives in a public meeting regarding matters that relate to Council business or citizen concerns within the subject matter jurisdiction of the City Council.

POLICY:

The policy of the City Council with respect to the subject matter listed in the above-referenced title is as follows:

PUBLIC PARTICIPATION IN COUNCIL MEETINGS

Audience Decorum. Members of the audience have the right to express their views about items on the agenda or issues within the jurisdiction of the City subject to the time, place and manner rules described in this Policy. Actions expressing the views of members of the public, such as clapping, whistling; stomping; sign waving are permitted as free speech so long as the actions do not disturb, disrupt, or otherwise impede the orderly conduct of the meeting. The Council expects persons speaking at City Council meetings to do so in a civil manner that promotes the free exchange of ideas and encourages public participation.

Request to Speak Form. Members of the public may address the City Council during Public Comments and before consideration of any agenda item; however, no person shall address the Council without first being recognized by the Mayor. Any person wishing to speak, whether during Public Comments, Consent Calendar, or on an agenda item, shall first complete a Public Comment or Request to Speak form and submit this form to the City Clerk or Deputy City Clerk before the Mayor calls for Public Comments or calls the particular agenda item. A speaker is not required to list his or her name and address, but doing so does help the Council and staff to provide follow-up information to the speaker if needed. Speakers shall be called in the order their Request to Speak form is received by the City Clerk or Deputy City Clerk.

Speak Only Once. Second opportunities for the public to speak on the same issue will not be permitted unless mandated by state or local law.

Addressing the Council. Comment and testimony shall be directed to the Council through the Mayor. Dialogue between and inquiries from citizens at the podium and individual Council Members, members

of staff, or the seated audience is not permitted. Council Members seeking to clarify testimony or gain additional information should direct their questions through the Mayor.

PUBLIC COMMENTS TO CITY COUNCIL

Non-Agenda Items and Consent Calendar. The public has right to comment on matters within the jurisdiction of the City that are not listed on the agenda as provided in this Policy. The agenda shall provide for such public comments. Public Comments will be heard at the meeting in the manner noted on the agenda. A maximum of thirty (30) minutes shall be allowed for such public comments. A member of the public who wishes to speak under Public Comments may fill out a Public Comment Request to Speak form and submit it to the City Clerk or Deputy City Clerk before the Mayor calls for Public Comments. Persons may speak under Public Comments for three (3) minutes. Deferral of one speaker’s time to another is not permitted.

State law prohibits the City Council from taking action on any item not listed on the agenda unless the Council makes a determination that an emergency exists or that the need to take immediate action on the item arose subsequent to the final posting of the agenda. Council Members or staff members may provide brief response to comments, ask brief questions of the speaker, refer the speaker to staff or another agency, or request that the matter be placed on an agenda in a manner that is consistent with the City Council policy for the placement of items on a future agenda. Council Member or staff responses shall not exceed three (3) minutes each.

Consent Calendar Items. Members of the public who wish to speak on a Consent Calendar item will be allowed to speak for a maximum period of 30 minutes prior to the consideration of the Consent Calendar. Persons may speak on Consent Calendar items for three (3) minutes each. Deferral of one speaker’s time to another is not permitted.

Agenda Items. The public has a right to comment on agenda items. A member of the public who wishes to speak on an agenda item may fill out a Request to Speak form and submit it to the City Clerk or Deputy City Clerk before the Mayor calls the agenda item. Subject to the special provisions discussed below for Public Hearings, persons may speak about an agenda item for a maximum of five (5) minutes. Deferral of one speaker’s time to another is not permitted. In the event there is a large number of speakers, the Mayor may reduce the maximum time limit for members of the public to speak on the item.

Disruptive Behavior Prohibited at Council Meetings (In-Person Participation). The Council expects persons speaking at the City Council meeting to do so in a civil manner that promotes the free exchange of ideas and encourages public participation. Any person who engages in behavior that actually disrupts, disturbs or otherwise impedes the orderly conduct of any City Council meeting shall, upon an order by the Mayor, or the presiding officer, or a majority of the City Council, be barred from further audience before the City Council during that meeting.

Examples of disruptive behavior. Examples of behavior that can actually disrupt, disturb, or otherwise impede the orderly conduct of a City Council meeting include, but are not limited to, the following:

- (1) Speaking without being recognized by the Mayor or the presiding officer.

- (2) Continuing to speak after the allotted time has expired.
- (3) Speaking on an item at a time not designated for discussion by the public of that item.
- (4) Throwing objects.
- (5) Speaking on an issue that is not within the jurisdiction of the City Council.
- (6) Speaking to the audience rather than to the City Council.
- (7) Interrupting a person who is speaking to the City Council during such person's allotted time.
- (8) Preventing a person from speaking to the City Council during such time as is allocated for comments from the public.
- (9) Wearing of a mask, costume, disguise or other regalia or paraphernalia that actually disrupts, disturbs or otherwise impedes the orderly conduct of the City Council meeting.
- (10) Uttering loud, threatening, or abusive language that actually disrupts, disturbs or otherwise impedes the orderly conduct of the City Council meeting.
- (11) Clapping, whistling, stomping feet, and sign waving that actually disrupts, disturbs or otherwise impedes the orderly conduct of the City Council meeting.

Enforcement. The rules of conduct for City Council meetings set forth in this section shall be enforced in the following manner:

- (1) *Warning to desist.* Whenever practicable, the Mayor, or the presiding officer, or a majority of the City Council shall give a warning to a person whose behavior is actually disrupting, disturbing or otherwise impeding the orderly conduct of a City Council meeting. The warning shall identify the disruptive behavior and the manner in which the person must comply. A warning shall not be necessary when it would not be effective due to extraordinary circumstances. Examples of extraordinary circumstances in which no warning is required include situations in which a warning would be difficult to hear over the noise of the disturbance; situations involving an immediate threat to public safety such as the throwing of objects or the display of a weapon; and situations involving a person who has been warned about the same type of disruptive behavior at a City Council meeting held within the prior thirty (30) calendar days.
- (2) *Recess.* If, after receiving a request from the Mayor, the person persists in violating the rules, the Mayor may order a recess. Any representative of law enforcement who is present at the meeting when the violation occurs shall be authorized to warn the person that his or her conduct is violating the rules and that he or she is requested to cease such conduct.
- (3) *Order barring person from meeting.* The Mayor, or the presiding officer, or a majority of the City Council may issue an order barring a person from the remainder of a City Council meeting if such person was warned at that City Council meeting about disruptive behavior and such person again engages in behavior that actually disrupts, disturbs or otherwise impedes the orderly conduct of the meeting. Additionally, the Mayor, or the presiding officer, or a majority of the City Council may issue an order barring a person from the remainder of a City Council meeting without a warning if there are

extraordinary circumstances and the person engages in behavior that actually disrupts, disturbs or otherwise impedes the orderly conduct of the meeting.

- (4) *Removal.* If a person barred from the remainder of a City Council meeting does not voluntarily exit the Council chambers, the Mayor, or the presiding officer, or a City Council majority may direct the Sergeant-at-arms to remove that person from the Council chambers and exclude that person for the remainder of that meeting.
- (5) *Clearing the Room.* Pursuant to Government Code Section 54957.9, in the event that any meeting is willfully interrupted by a person or groups of persons so as to disrupt, disturb or otherwise impede the orderly conduct of such meeting and order cannot be restored by the removal of the individuals who are willfully interrupting the meeting, City Council may order that the meeting room may be ordered cleared and the meeting shall continue in session. The motion to clear the room shall be by a vote not less than three members of the City Council in favor. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to Government Code Section 54957.9.
- (6) *Violation of the California Penal Code.* A person or persons who substantially impairs the conduct of a City Council meeting by knowingly and intentionally violating these rules of decorum may be prosecuted under Penal Code Section 403 for disturbing a public meeting. Every person who violates Penal Code Section 403 is guilty of a misdemeanor.

Unlawful behavior. The following conduct shall be unlawful:

- (1) Engaging in behavior that actually disrupts, disturbs or otherwise impedes the orderly conduct of a City Council meeting after receiving a warning at that meeting from the Mayor, or the presiding officer, or a City Council Member.
- (2) Refusing to leave the Council chambers after being barred for the remainder of a City Council meeting by the Mayor, or the presiding officer, or a City Council majority.
- (3) Returning to the Council chambers before the conclusion of a City Council meeting after being barred for the remainder of that meeting by the Mayor, or the presiding officer, or a City Council majority.

Sergeant-at-arms. The Sheriff, or such members of the Sheriff's Department as he or she may designate, shall attend each Council meeting and shall be Sergeant-at-arms of the City Council unless otherwise directed by the City Manager. The Sergeant-at-arms shall carry out all lawful orders given by the Mayor, or the presiding officer, or a majority of the City Council for the purpose of maintaining order at City Council meetings. The Sergeant-at-arms shall have the authority and power to enforce the orders of the Mayor, or the presiding officer, or a majority of the City Council relating to the order and conduct of City Council meetings. Any Council Member may move to require the Mayor, or presiding officer, to enforce the rules of conduct and a majority vote of the Council shall require him or her to do so.

Motion to Enforce. If the Mayor fails to enforce the rules of decorum set forth herein, any Council Member may move to require the Mayor to do so, and an affirmative vote of three members of the Council shall require the Mayor to do so. If the Mayor fails to carry out the will of the majority of the Council in this matter, the Council by an affirmative vote of three Council Members may designate another Council Member to act as Mayor for the limited purpose of enforcing the rules of decorum established herein for that meeting.

Disruptive Behavior Prohibited at Council Meetings (Online Participation). Any person who engages in conduct that actually disrupts, disturbs, or otherwise impedes the orderly conduct of a City Council meeting conducted via an online platform may, upon order of the Mayor, presiding officer, or a majority of the City Council, be removed or barred from further participation during that meeting.

Examples of disruptive behavior. Disruptive behavior in an online setting includes, but is not limited to:

1. Speaking without being recognized or unmuting without authorization
2. Continuing to speak after allotted time has expired
3. Attempting to speak outside the designated public comment period
4. Interrupting another speaker (e.g., unmuting, talking over, or using audio features to interfere)
5. Posting repetitive, irrelevant, or disruptive comments in chat functions
6. Using offensive, threatening, or abusive language via audio, video, or chat
7. Displaying visual content (backgrounds, images, signs, or video) that disrupts the meeting
8. Using sound effects, music, or artificial noise to interrupt proceedings
9. Impersonating another participant or providing false identification
10. Engaging in conduct that interferes with another person's ability to participate
11. Repeatedly reconnecting after removal to continue disruptive conduct

Enforcement Procedures - The rules of conduct for City Council meetings set forth in this section shall be enforced in the following manner:

Warning to Desist - Whenever practicable, the Mayor or presiding officer shall issue a warning identifying the disruptive conduct and the corrective action required. A warning is not required in extraordinary circumstances, including immediate threats to safety or system integrity or conduct that cannot be controlled through warning (e.g., rapid repeated disruptions).

Technical Moderation Measures - The presiding officer or authorized staff may take immediate action, including muting the participant, disabling video, restricting chat access, and/or placing participant in a virtual waiting room.

Removal from Meeting - A participant may be removed from the online meeting if (a) they continue disruptive conduct after a warning, or (b) extraordinary circumstances justify immediate removal.

Recess or Termination of Remote Participation - If disruption cannot be controlled the Mayor may call a recess and temporarily suspend online participation during the recess.

Continuation of Meeting - If a meeting is willfully interrupted and cannot be restored through removal of individuals, the Council may take other lawful steps consistent with open meeting laws.

Unlawful Conduct - The following conduct is unlawful and violations may be subject to enforcement under applicable law, including provisions analogous to those governing disturbance of public meetings:

1. Continuing disruptive behavior after receiving a warning
2. Re-entering a meeting after being removed or barred
3. Using technological means to intentionally impair the conduct of the meeting

Authority of Staff and Moderators - City staff designated as meeting moderators shall carry out lawful orders of the Mayor or presiding officer, operate platform controls to maintain order, and remove or restrict participants as directed.

Motion to Enforce - If the presiding officer fails to enforce these rules, any Council Member may move to require enforcement and a majority vote shall compel enforcement action.

PUBLIC HEARINGS

Process and Procedures. The City Council conducts Public Hearings on applications, projects, and other matters as required to provide due process of law. The following outlines the process under which Public Hearings will be conducted. Staff will review the application/project/matter, will prepare a staff report, and may make a recommendation or propose alternatives to the City Council prior to the Public Hearing.

A notice of the Public Hearing shall be posted, published, and mailed as required by law and the Temecula Municipal Code. The members of the City Council will receive the staff report for the application/project/matter in the agenda packet prior to the meeting. This provides the Council with an opportunity to study the staff report, which will become part of the hearing record, and to become familiar with the project prior to the Public Hearing. When the Public Hearing is called, staff shall summarize the application/project/matter as contained in the staff report or request a continuance to a future meeting. The City Council may ask questions for clarification. Once the Public Hearing is opened, the applicant/property owner and the appellant is entitled to present the application/project/matter in person or through a representative. Following this presentation, members of the public shall be called upon to speak on the application/project/matter in the order their Request to Speak forms are received by the City Clerk or Deputy City Clerk. Once the members of the public have spoken, the applicant/property owner and the appellant shall be provided an opportunity to rebut any testimony or evidence provided by opponents or by staff. The rebuttal shall be limited to answering or refuting testimony of the public or staff. Following each presentation, members of the City Council may question the speakers. Following rebuttal, the item is then before the City Council for discussion and clarification.

When all parties have been heard and there are no additional requests to speak, the Mayor may close the Public Hearing and any member of the Council may make a motion to:

- (1) Reopen the Public Hearing and continue it to a date certain to allow for further study or discussion; or
- (2) Adopt the resolution or ordinance for approval or denial of the project, with or without changes, as recommended in the Staff Report; or
- (3) Direct Staff to prepare a different resolution or ordinance than the one recommended for adoption on the Consent Calendar at the next regular meeting of the City Council.

The applicant may withdraw the application/project/matter at any time before a vote is taken by the City Council. An appellant may withdraw its appeal at any time prior to the opening of the public hearing.

Speaker Time Limits for Public Hearings

At Public Hearings involving land use matters the property owner or the applicant/property owner has the burden of proof and, therefore, shall be allowed fifteen (15) minutes for an initial presentation by its development team and an additional ten (10) minutes for rebuttal by its development team following the other comments on the matter. The Mayor may allow more time if required to provide due process for the property owner or applicant. An appellant, other than the property owner or applicant, and the spokesperson for an organized group of residents residing within the noticed area of the property which is the subject of the Public Hearing, shall be allowed fifteen (15) minutes to present the appellant's position to the Council. The Mayor may allow more time if required to provide due process for the appellant. All other members of the public may speak during the Public Hearing for a maximum period five (5) minutes each. Deferral of one speaker's time to another is not permitted. In the event there is a large number of speakers, the Mayor may reduce the maximum time limit for members of the public to speak.

Policy Applicable to All Public Meetings of the City. The above-referenced public participation standards of this Policy shall apply to all public meetings of the City including City Council and all commissions, boards and committees of the City.

POLICIES SPECIFIC TO SB 707 (LEGISLATIVE YEAR 2025-2026)

INTERNET SERVICE AND TELEPHONIC SERVICE DISRUPTION POLICY

Background

The Ralph M. Brown Act, commonly known as the "Brown Act," is California's "sunshine" law for local government. The Brown Act is found in the California Government Code commencing with Government Code Section 54950.¹ In 2025, the California Legislature passed Senate Bill 707 ("SB 707"), which was signed into law on October 3, 2025 and is effective January 1, 2026. SB 707 enacted an extensive modernization of the Brown Act.

¹ All section references are to the California Government Code.

SB 707 adds a new Section 54953.4 that requires specific actions be taken by an “eligible legislative body” to make meetings more accessible to the public. An “eligible legislative body” is defined in Section 54953.4(e)(2) and as applied to the City of Temecula, the City Council is an eligible legislative body.

Starting on July 1, 2026, public meetings held by an eligible legislative body are required to include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform (such as Zoom), commonly referred to as a “hybrid meeting.” The only exception is if adequate telephonic or internet service is not operational at the meeting location.

In conjunction with hybrid meetings, SB 707 requires the City Council on or before July 1, 2026, approve a policy regarding the disruption of telephonic or internet services occurring during the meeting. The adoption of such policy must occur at a noticed public meeting of the City Council in open session and not as an item on the consent calendar.

The purpose of this policy is to adopt the “Internet Service and Telephonic Service Disruption Policy” in the manner and content required by Section 54953.4(b)(1)(A)(i)(I) and (II).

- 1. Designation of Responsible Person of the City’s Two-Way Audiovisual Platform or Two-Way Telephonic Service:** The City Manager or his or her designee shall identify a City employee or vendor who is responsible for operating the two-way audiovisual platform or two-way telephonic service, referred to herein as the “Hybrid Platform”, at noticed public meetings of the City Council (“Responsible Person”). Typically, the Responsible Person handles the operation of the microphones, cameras and other audio visual equipment and/or telephonic or voice equipment during City Council meetings and ensures that the Hybrid Platform has connectivity so that the meeting is displayed, both visually and with audio, in the case of an audiovisual platform such as Zoom or Teams, or telephonically if a telephonic system is utilized.
- 2. Role of the City Clerk.** The City Clerk is the person designated at City Council meetings for operating the Hybrid Platform to ensure the recording of the City Council meeting and for interacting with the Hybrid Platform to receive and record public comments. The City Clerk works within the Hybrid Platform as the meeting host to queue speakers who desire to provide public comment, admit speakers into the meeting when it is their turn to speak and thereafter remove said speakers, interact with the speakers as needed, including muting and unmuting speakers, and closes the queue when the public comment period ends. If a telephonic system is used, the City Clerk conducts the same or similar activities. The City Clerk interacts with the Mayor so that speakers who participate virtually or telephonically are called upon by the Mayor to provide their comments.
- 3. Disruption of the Hybrid Platform - Notification to the Mayor.** If the Responsible Person or the City Clerk determines at any time during the City Council meeting that the Hybrid Platform is experiencing technical difficulties such that there is no telephonic or internet service in order for the Hybrid Platform to be operational, or there is a disruption or other technical issue that makes two-way remote participation not possible during the City Council meeting (for example, the City Council meeting is

no longer able to be observed or heard by the public via the Hybrid Platform or the public is unable to virtually or telephonically attend the City Council meeting via the Hybrid Platform), the Responsible Person or the City Clerk shall immediately inform the Mayor or the presiding officer if the Mayor is not in attendance at the meeting, that the Hybrid Platform has been disrupted and a recess is required in order to restore service to the Hybrid Platform.

- 4. Announcement by the Mayor.** The Mayor or presiding officer shall make an announcement regarding the need to call a recess because there is a disruption or other technical issue that has rendered the Hybrid Platform non-operational preventing two-way virtual or telephonic remote participation. After such announcement, the Mayor or presiding officer shall call for a recess and inform the in-person audience that under the Brown Act, the recess may last for up to an hour or until the service is restored to the Hybrid Platform. Pursuant to the Brown Act, the City Council is required to recess the open session of the City Council meeting for at least one hour following the disruption, or until telephonic or internet service is restored, whichever is earlier.
- 5. Recordation of the Time Recess is Called.** The City Clerk shall physically in writing record the time when the recess is called by the Mayor or the presiding officer if the Mayor is not in attendance at the meeting.
- 6. Good Faith Attempt to Restore Service to the Hybrid Platform.** During the recess, the Responsible Person and/or the City Clerk and any other member of City Staff shall make a good faith attempt to restore service to the Hybrid Platform. This includes troubleshooting any issues impacting connectivity including but not limited to the following: internet or telephonic connectivity issues (for example, check the connection, check the connection speed, test the internet bandwidth, contact the internet or telephonic provider, etc.), or audio or video quality concerns or webcam and audio issues (check settings of equipment and/or Hybrid Platform, check connections and cables, check app permissions (if applicable), ensure webcams or other cameras not blocked, adjust camera settings, test of audio, reinstall app or program (if applicable) etc.).
- 7. Troubleshooting Hybrid Platform is Successful.** If the Responsible Person, City Clerk, or any other member of City Staff is successful in restoring the service to the Hybrid Platform within one hour of when the recess was called, the City Clerk shall inform the Mayor or presiding officer that the matter has been resolved. The Mayor or presiding officer shall then reconvene the City Council meeting and shall inform the public that service has been restored to the Hybrid Platform. The City Clerk shall physically in writing record the time of when the City Council meeting is reconvened.
- 8. Troubleshooting Hybrid Platform is Not Successful.** If the Responsible Person, City Clerk, or any other member of City Staff was not successful in restoring the service to the Hybrid Platform within one hour of when the recess was called, the City Clerk shall inform the Mayor or presiding officer that after making a good faith attempt to restore

service, service to the Hybrid Platform was unable to be restored. The City Clerk shall give a description of the efforts made to restore service. The City Clerk shall physically in writing record the time of when the City Council meeting is reconvened.

9. Reconvening the Open Session of the City Council Meeting. The Mayor or presiding officer shall subsequently reconvene the City Council meeting. Upon reconvening the meeting, the Mayor or presiding officer shall inform the City Council and the public that services to the Hybrid Platform were unable to be restored and the Mayor or presiding officer shall request that a finding be made as follows: (i) that good faith efforts to restore the telephonic or internet service have been made in accordance with the City's Internet Service and Telephonic Service Disruption Policy; and (ii) that the public interest in continuing the meeting outweighs the public interest in remote public access. The Mayor or presiding officer shall call for a motion, ask for a second and ask the City Clerk to take a roll call vote. If the motion making the finding is passed, the City Council may continue the City Council meeting.

10. Certain Meetings Exempt. The requirement set forth in Government Code Section 54953.4 that open and public meetings shall include an opportunity for members of the public to attend the City Council meeting via a two-way remote system (either telephonically or via an audiovisual platform), does not apply to the following meetings: (i) a meeting to attend a judicial or administrative proceeding to which the City is a party; (ii) a meeting to inspect real or personal property provided that the topic of the meeting is limited to items directly related to the real or personal property; (iii) a meeting with elected or appointed officials of the United States or the State of California, solely to discuss a legislative or regulatory issue affecting the city and over which the federal or state officials have jurisdiction; (iv) a meeting in or nearby a facility owned by the City, provided that the topic of the meeting is limited to items directly related to the facility; and (v) a meeting in an emergency situation pursuant to Government Code Section 54956.5.

11. Closed Session During a Recess. During the recess described herein, the City Council may meet in closed session during this period for items listed in the closed session agenda for that meeting.

LEGISLATIVE BODY REASONABLE ACCOMMODATION POLICY FOR REMOTE PARTICIPATION AT MEETINGS SUBJECT TO THE BROWN ACT

Background and Purpose:

The Ralph M. Brown Act, commonly known as the "Brown Act," is California's "sunshine" law for local government. The Brown Act is found in the California Government Code commencing with Section 54950. In 2025, the California Legislature passed Senate Bill 707 ("SB 707"), which was signed into law on October 3, 2025 and is effective January 1, 2026. SB 707 enacted an extensive modernization of the Brown Act.

SB 707 updates Section 54953 of the Brown Act to allow for members of legislative bodies with disabilities to participate in meetings remotely as a reasonable accommodation. (See, Government Code Section 54953(c)). If such an accommodation is granted under this new provision, remote participation due to a

disability will be treated as in-person attendance at the physical meeting location for all purposes, including reaching a quorum. The traditional teleconference requirements of posting the address of the teleconference location and allowing public participation from the teleconference location will not apply.

The purpose of this policy is to ensure compliance with the Brown Act and to provide a written procedure for receiving and swiftly resolving reasonable accommodation requests for members of the City of Temecula legislative bodies, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. The purpose is to enable participation in legislative body meetings through remote participation for a qualifying individual whose disability precludes their in-person attendance at a meeting of their legislative body. As set forth in California Attorney General Opinion No. 23-1002, which addressed the applicability of the Americans with Disabilities Act (“ADA”) to meetings subject to the Brown Act, the opinion stated that not every disability necessitates remote participation, because not every disability precludes in-person attendance; therefore, a fact intensive, individualized, case-by-case inquiry is required when considering remote participation as a reasonable accommodation.

Requests for Reasonable Accommodation:

Definitions. As used in this policy, a member of a legislative body means any individual who is a member of the Temecula City Council or a member of any commission of the City of Temecula, whose meetings are subject to the Brown Act. and shall be referred to herein as “Member.”

Procedure. A Member who desires to attend meetings remotely because of a qualified disability shall make an accommodation request in writing to the City’s Director of Human Resources (“Director”). The request should include a written statement that the Member requires remote participation under this Policy because of their disability. You are not required to disclose the particular disability. The request shall be made at least three weeks before the meeting for which the Member first seeks accommodation. If the City maintains a “Reasonable Accommodation Form,” the request shall be made on such form.

Interactive Process. The Director is authorized to make reasonable inquiries about the Member’s need for accommodation, to conduct the necessary case-by-case inquiry into the request and to accommodate a qualifying disability, consistent with applicable law. The City may require additional information, such as a medical provider’s certification of the existence of a qualifying disability and the need for the accommodation to attend remotely. The City may not ask the Member or their medical provider to disclose a specific diagnosis. The Director will inform the Member, the City Manager and the City Clerk of the decision on the request for reasonable accommodation in writing.

An approved reasonable accommodation for remote access attendance at public meetings shall be in effect for the period of time that the Member’s disabling condition continues, and the decision of the Director shall reflect this determination.

Confidentiality. All information regarding a Member’s claimed disability or medical information must be kept confidential and maintained in a separate medical file by the Director. Such information may be disclosed in limited circumstances, such as to first aid and safety personnel, when appropriate, to government officials investigating compliance with the ADA, or to City staff trained on and entrusted with

the handling of confidential medical information, if such disclosure is necessary to effectuate the reasonable accommodation.

Member's Responsibilities Under the Brown Act. If the accommodation for remote participation is granted, the Member is required to comply with the applicable provisions of Government Code Section 54953(c) as follows:

1. The Member shall participate through both audio and visual technology, except that any Member with a disability, as defined by California Government Code Section 12926 and used in Section 12926.1, or by Section 12102 of Title 42 of the United States Code, may participate only through audio technology if a physical condition related to their disability results in a need to participate off camera.

2. 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.