



TAHOE FOREST
HOSPITAL DISTRICT

2025-10-15 Board Governance Committee

Wednesday, October 15, 2025, at 3:00 p.m.

Tahoe Forest Hospital - Aspen Conference Room

10800 Donner Pass Rd, Suite 200, Truckee CA 96161



Meeting Book - 2025-10-15 Board Governance Committee

Governance Committee

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*No related materials / attachments at time of posting

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GOVERNANCE COMMITTEE AGENDA

Wednesday, October 15, 2025, at 3:00 p.m.
Tahoe Forest Hospital – Aspen Conference Room
10800 Donner Pass Rd, Suite 200, Truckee, CA 96161

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **CLEAR THE AGENDA/ITEMS NOT ON THE POSTED AGENDA**

4. **INPUT – AUDIENCE**

This is an opportunity for members of the public to address the Committee on items which are not on the agenda. Please state your name for the record. Comments are limited to three minutes. Written comments should be submitted to the Board Clerk 24 hours prior to the meeting to allow for distribution. Under Government Code Section 54954.2 – Brown Act, the Committee cannot take action on any item not on the agenda. The Committee may choose to acknowledge the comment or, where appropriate, briefly answer a question, refer the matter to staff, or set the item for discussion at a future meeting.

5. **APPROVAL OF MINUTES**

5.1. Governance Committee Meeting: 06/10/2025 ATTACHMENT

6. **ITEMS FOR COMMITTEE DISCUSSION AND/OR RECOMMENDATION**

6.1. **Board Policy Review**

Governance Committee will review and discuss recommendations to the following policies:

6.1.1. Awarding Public Construction Projects, ABD-26 ATTACHMENT

6.1.2. Guidelines for Business by the Tahoe Forest Hospital District Board of Directors, ABD-12
..... ATTACHMENT

6.1.3. Physician and Professional Services Agreements, ABD-21 ATTACHMENT

6.1.4. TFHD Professional Courtesy Immunization Policy, ABD-24 ATTACHMENT

6.1.5. Display of the United States Flag, AGOV-2501 ATTACHMENT

6.1.6. Administration Policy & Procedure Manual – Table of Contents ATTACHMENT

6.2. **Draft Resolution 2025-09 Design Build** ATTACHMENT

Governance Committee will review and discussion recommendations on Design Build Resolution 2025-09

6.3. **Board Governance**

6.3.1. Board Standing Committees ATTACHMENT

Governance Committee will review the Board Standing Committees and recommend their reaffirmation the District Board for CY 2026.

6.3.2. Board Committee Meeting Schedule and Rolling Agenda Items ATTACHMENT

Governance Committee will consider the meeting frequency of the Standing Committees and District Board rolling agenda items.

6.4. **Hospital District Designation** ATTACHMENT*

Governance Compensation Committee will review the differences between the Hospital District and Health Care District designations. Committee may consider recommending a designation change to the Board.

7. REVIEW FOLLOW UP ITEMS / BOARD MEETING RECOMMENDATIONS

8. NEXT MEETING DATE

The Governance Committee will meet again as needed.

9. ADJOURN

*Denotes material (or a portion thereof) may be distributed later.

Note: It is the policy of Tahoe Forest Hospital District to not discriminate in admissions, provisions of services, hiring, training and employment practices on the basis of color, national origin, sex, religion, age or disability including AIDS and related conditions. Equal Opportunity Employer. The telephonic meeting location is accessible to people with disabilities. Every reasonable effort will be made to accommodate participation of the disabled in all of the District's public meetings. If particular accommodations for the disabled are needed or a reasonable modification of the teleconference procedures are necessary (i.e., disability-related aids or other services), please contact the Clerk of the Board at 582-3583 at least 24 hours in advance of the meeting.

GOVERNANCE COMMITTEE **DRAFT MINUTES**

Tuesday, June 10, 2025 at 1:30 p.m.
Tahoe Forest Hospital – Aspen Conference Room
10800 Donner Pass Rd, Suite 200, Truckee, CA 96161

1. **CALL TO ORDER**

Meeting was called to order at 1:30 p.m.

2. **ROLL CALL**

Board: Michael McGarry, Committee Chair; Dale Chamblin, Board Member

Staff in attendance: Anna Roth, President & CEO; Ted Ownes, Executive Director of Governance & Business Development; Sarah Jackson, Clerk of the Board; Eirini Williams and Zyna Navarte; Healthcare Interns

Other: Pam Knecht, Accord Limited

3. **CLEAR THE AGENDA/ITEMS NOT ON THE POSTED AGENDA**

No changes were made to the agenda.

4. **INPUT – AUDIENCE**

No public comment was received.

5. **APPROVAL OF MINUTES OF: 11/22/2024**

Director Chamblin moved to approve the Board Governance Committee minutes of November 22, 2024, seconded by Director McGarry.

6. **ITEMS FOR COMMITTEE DISCUSSION AND/OR RECOMMENDATION**

6.1. Board Governance Committee Charter

Governance Compensation Committee will review and recommend approval of the committee charter. Discussion was held about adding language to support board orientation and education.

Governance Committee agrees to make the following changes:

- Direct staff to ensure and to oversee a comprehensive board orientation process.
- Direct staff to ensure and to oversee ongoing board education and development.

6.2. Board Policy Review

Governance Committee will review and discuss changes to the following policies:

6.2.1. Awarding Public Construction Projects, ABD-26

- ##### 6.2.1.1.
- Policy was pulled for further review until VP of Facilities and Construction could join the committee meeting.

VP joined the meeting at 2:00 pm. Historical construction methodology was reviewed. Design Build methodology was reviewed. Construction Cost Accounting and the thresholds we are allowed to operate under was reviewed. Legislation has recently changed. Effective

January 2025 the public contracting code for Progressive Design Build was updated requiring policy updates.

Significant discussion and review occurred of the policy and updates.

6.2.2. Inspection and Copying of Public Records, ABD-14

6.2.2.1. Minimal changes noted per General Counsel.

6.2.3. Emergency On-Call, ABD-10

6.2.3.1. Policy was updated per Director of Quality and Regulations. Director Chamblin confirmed that the services listed were in fact provided by the Health System.

6.2.4. Telephone/Verbal Orders – Receiving and Documenting, AGOV-2202

6.2.4.1. Policy was updated per Director of Quality of Regulations.

Director Chamblin recommended approval of updated policies ABD-14, ABD-10, and AGOV-2202, seconded by Director McGarry.

After detailed review by Vice President of Facilities of Construction, Director Chamblin recommended approval of updated policy ABD-26, seconded by Director McGarry.

6.3. Board Governance

6.3.1. Board Retreat Review

Governance Committee will review the Board Retreat, Board Self-Assessment results and tools for future use, and Board Goals from the retreat.

Ms. Knecht reviewed materials provided to the committee.

CEO noted that in the Accord Memo bullet point #2 set the stage for why the retreat wasn't viewed as successful; community health engagement vs. community health improvement.

Ms. Knecht noted there was significant confusion surrounding terms and that impacted the success of the retreat.

Director McGarry felt that the retreat felt meandering, but did feel it was positive that we were trying something new. There were questions that surfaced that need to be answered going forward.

Director McGarry noted that the District Board has never operated as a Strategic Board before that he has observed.

Director Chamblin was impacted by a comment made at the retreat by the CFO and especially positively impacted by the involvement of the physicians.

CEO discussed the historical legislative update from Hospital District vs Healthcare District as well as starting the process to update our legal district designation from Hospital District to Healthcare District. We are the only Hospital District left in the State.

Board goals and education goals were reviewed as recommended next steps.

Ms. Knecht recommends the Governance Committee determine a recommendation to full board. CEO recommends 2a ends at “True North,” eliminate 2b and keep 2c of Accords Recommended Next Steps.

6.3.2. 2025/2026 Facilitated Workshops and Education Plan/Sessions

Governance Committee will consider future facilitated workshops and discuss recommendation of an education plan for Calendar Years 2025 and 2026.

Discussion was incorporated with 6.3.1.

7. REVIEW FOLLOW UP ITEMS / BOARD MEETING RECOMMENDATIONS

8. NEXT MEETING DATE

The Governance Committee will meet again as needed.

9. ADJOURN

Meeting adjourned at 3:30 p.m.



AGENDA ITEM COVER SHEET

MEETING DATE: October 15, 2025 Governance Committee	ITEM: Awarding Public Construction Projects, ABD-26
DEPARTMENT: Board Policy	TYPE OF AGENDA ITEM: ☒ Action ☐ Consent ☐ Discussion
RESPONSIBLE PARTY: Dylan Crosby, VP Facilities and Construction	SUPPORTIVE DOCUMENT ATTACHED ☐ Agreement ☐ Presentation ☐ Resolution ☒ Other Policies
BUDGET: ALLOCATED IN THE BUDGET ☐ Yes ☐ No ☒ N/A IS A BUDGET TRANSFER REQUIRED ☐ Yes ☐ No ☒ N/A	PERSONNEL ADDITIONAL PERSONNEL REQUIRED ☐ Yes ☐ No ☒ N/A
BACKGROUND: Administrative and departmental operating policies must be reviewed <i>at least once every three years</i> , more often as necessary. ABD - Board P&P's describes the role, organization, integration and responsibilities of the Governing Bodies within the organization including, Board Members and Administration, guiding consistent corporate behavior and decision making in alignment with the Mission and Values of TFHS. AGOV - Governance P&P's describe the services provided and basic principles that direct the provision of care at all levels within the organization.	
SUMMARY/OBJECTIVES: ABD-26 describes the general guidelines to apply to all public contracts at TFHD consistent with the requirements of the Uniform Public Construction Cost Accounting Action.	
SUGGESTED DISCUSSION POINTS: If recommended for approval this policy will go to the full board for consent approval or action approval in November and become effective 01/01/2026. Major updates to the procedure portion, section II of the policy.	
SUGGESTED MOTION/ALTERNATIVES: Recommend approval of this policy and send to consent at the November Board Meeting.	
LIST OF ATTACHMENTS: Awarding Public Construction Projects, ABD-26	



Origination Date 10/2017
Last Approved N/A
Last Revised 10/2025
Next Review 3 years after approval

Department Board - ABD

Awarding Public Construction Projects, ABD-26

RISK:

Without a process consistent with the requirements of the Uniform Public Construction Cost Accounting Act (Public Contracts Code § 22000 et seq.) or the Local Agency Design-Build Contracting statute (Public Contracts Code § 22185 et seq.), inherent bias or inequitable bidding practices for public contracts could result.

PURPOSE:

This policy is intended to establish regulations to apply to all public contracts at Tahoe Forest Hospital District ("District") in a manner that is consistent with the requirements of the Uniform Public Construction Cost Accounting Act (Public Contracts Code § 22000 et seq.) and, where applicable, the best value construction contracting procedures in Public Contract Code Chapter 4.7 (§§ ~~22185~~22160–22185.11).

POLICY:

- A. **Public Projects.** The term "public project" shall have the definition set forth in Public Contract Code §22002, with the exception of medical-surgical equipment or supplies, data processing or telecommunication goods or services governed by California Health and Safety Code § 32132.
- B. **Bidding Not Required.** Except as provided in subsection E, the Chief Executive Officer (CEO) or his or her designee, may cause public projects of sixty thousand dollars (\$60,000.00) or less to be performed by employees of the District by force account, by negotiated contract, or by purchase order.
- C. **Informal Bidding.** Except as provided in subsection E, public projects of two hundred thousand

dollars (\$200,000.00) or less, may be let to contract by informal procedures as set forth below.

- D. **Formal Bidding.** Except as provided in subsection E, public projects of more than two hundred thousand dollars (\$200,000.00) shall be let to contract by the formal bidding procedure outlined in DMM-22.
- E. **Automatic Adjustments.** The dollar limits set forth in subsections B, C and D of this section shall adjust without District action as necessary to comply with any adjustment mandated by the Controller pursuant to the authority granted by Public Contract Code § 22020.
- F. **List of Contractors.** A list of contractors shall be developed and maintained in accordance with Public Contracts Code § 22034(a) and any criteria promulgated from time to time by the California Uniform Construction Cost Accounting Commission (Commission). Such list will be maintained by the Facilities Department.
- G. **Sole-source purchasing.** Prior to submitting a purchase request, the requesting department shall conduct a survey of available sources to determine whether there is only one source capable of competently and efficiently providing the required supplies, equipment or service. If it is determined that there is only a single source for the purchasing of a particular item or service, the Facilities Department shall prepare a waiver of bid and the contract may be awarded to the sole source vendor without competition. In this case, the relevant Director shall conduct negotiations, as appropriate, as to price, delivery, and terms.
- H. ~~Design-Build "Best Value" Bidding~~ **Design-Build "Best Value" Bidding**
 - 1. The District may use the progressive design-build, also known as best value, bidding procedures in compliance with Chapter 4.7 of the Public Contract Code (Pub. Contract Code, § 22185 et seq.) as an alternative to the Uniform Public Construction Cost Accounting Act bidding procedures, when authorized by Chapter 4.7.
 - a. The District may use progressive design-build delivery when the President & CEO(or designee) determines that this method is appropriate based on factors including:
 - i. Project complexity requiring early contractor involvement
 - ii. Accelerated delivery schedule requirements
 - iii. Innovative design or construction techniques needed
 - iv. Risk allocation benefits
 - v. Life-cycle cost considerations
 - vi. Stakeholder coordination requirements
 - 2. The District may procure progressive design-build contracts and use the progressive design-build contracting process described in Chapter 4.7 of the Public Contract Code for ~~up to 10~~ public works projects in excess of ~~five~~one million dollars (\$~~5~~1,000,000) for each project.
 - 3. The District shall develop guidelines for a standard organizational conflict-of-interest policy, consistent with applicable law, regarding the ability of a person or entity that performs services for the District relating to the solicitation of a design-build project, to submit a proposal as a design-build entity, or to join a design-build team.
 - 4. The District and any design build entity must comply with all applicable requirements

of Chapter 4.7 of the Public Contract Code and the design build “best value” bidding requirements outlined in section II of the procedure section of this policy.

5. ~~This policy’s progressive design-build authorization expires on January 1, 2030, consistent with the statutory sunset provision in Public Contract Code section 22185.11. The District should monitor legislative developments regarding potential extension or modification of the progressive design-build authorization.~~

- I. **Bid Conditions.** All bids submitted to the District shall be subject to the following general conditions:

1. Contracts for work shall be awarded to the lowest responsive responsible bidder. The Facilities Department reserves the right to determine the conditions of responsibility, including matters such as delivery date, products quality and the service and reliability of the supplier.
2. The District is under no obligation, express or implied, to accept the lowest bid received. The Facilities Department reserves the right to reject all bids if it so desires.
3. No illegal, unfair, unethical or otherwise improper advantage shall be accorded to any bidder by Tahoe Forest Hospital District.
4. If bids on more than one kind of item are solicited at the same time by the district, the Facilities Department shall have the right to accept parts of one or more bids, unless the bidder has specified otherwise.

PROCEDURE:

~~I. Uniform Public Construction Cost Accounting Act Bidding~~ I. Uniform Public Construction Cost Accounting Act Bidding

A. Informal Bidding Procedures

1. **Required Noticing.** When a public contract is to be bid pursuant to the procedures in this Policy, a notice inviting informal bids shall be mailed to all construction trade journals specified by the Commission in accordance with Public Contract Code § 22036.
2. **Optional Noticing.** Notification may be also provided to the contractors on the list created pursuant to Policy Section F for the category of work being bid, and to any additional contractors and/or construction trade journals.
3. **Mailing Notices.** All mailing of notices to contractors and construction trade journals shall be completed not less than ten (10) calendar days before bids are due.
4. **Description of Project.** The notice inviting informal bids shall describe the project in general terms, state how to obtain more detailed information about the project, and state the time and place for the submission of bids.

B. Formal Bidding Procedures (taken from DMM-22)

1. **Preparation of Plans, Specifications or Description of Proposed Work.** Upon

determination that work is required and that formal bidding is required, the responsible staff or consultants selected by the Facilities Department shall prepare, or cause to be prepared, plans, specifications or descriptions of the work in such detail and with such specificity as the nature of the work may require. If the nature of the work so requires, such plans, specifications or descriptions shall include requirements for bid bonds and/or requirements for performance and completion bonds.

2. **Timing of Bids.** The plans, specifications or descriptions shall also set forth the procedure and final date and time for submission of bids.
 3. **Copies.** Copies of the plans, specifications or descriptions may be sold to potential bidders at cost
- C. **Request for Bids.** In instances where formal bidding is required by law, or where it is otherwise deemed desirable or appropriate to obtain formal bids, such bids shall be invited as follows:
1. A notice inviting bids from qualified bidders, published in a newspaper of general circulation, printed and published in the District's jurisdiction; and
 2. Mail and, if available in electronic format, by facsimile or electronic mail to all construction trade journals specified by the Commission in accordance with Public Contract Code § 22036.
 3. The District may provide additional notice.
- D. **Timing of Notice.** The last such published notice or such announcement shall be published or mailed at least three (3) weeks prior to the date fixed for opening of the bids.
- E. **Requirements of Notice.** The notice required in Procedure Section C shall:
1. Describe the contemplated work,
 2. Set forth the procedure by which potential bidder may obtain copies of the plans, specifications, or description's,
 3. State the final date and address for submission of bids, and the date, time and place for opening of bids; and
 4. Set forth such other matters, if any, as would reasonably enhance the number and quality of bids.
- F. **Preparation of Submission of Bids.** Bids shall be in writing and shall refer specifically to the contemplated work. They shall be transmitted to a person or office designated by the District in the notice described in Procedure Section C. All bids shall remain sealed until the date and time set forth in such notice.
1. If the nature or performance of the work is such that pre-qualification may be required, is necessary or desirable, such procedures for such pre-qualification, shall be set forth in or provided with the plans, specifications or descriptions outlined in the notice described in Procedure Section C.
 2. **Examination and Evaluation of Bids.** All bids timely filed or, if applicable, all pre-qualified bids, shall be publicly opened by the Facilities Department on the date and time and at the place specified for the opening of bids. Bidders, or their representatives, may be present at the time the bids are opened. The amount of

each bid shall be read or a copy made available to any bidder or representative then present.

3. The bids and District's evaluation of them and the recommendations shall be presented to the Board of Directors at its next regular meeting, provided that the Board may delegate to the Director of Facilities the power to approve bids, pursuant to these policies and procedures.

G. **Awarding of Contracts.** The Board of Directors, or the Board's designee, shall award the contract for the performance of work to the lowest responsible bidder who has furnished such security as may have been specified by the Board of Directors. In the alternative, the Board may reject all bids.

1. **Rejection of Bidder.** If the Board of Directors, or the Board's designee, determines that the lowest bidder is not responsible, the contract may either be awarded to the lowest responsible bidder, or to the lowest bidder on the condition that the lowest bidder furnish security other than, or in addition to, that set forth in the plans, specifications or descriptions.
2. **Opportunity for Hearing.** If the Board of Directors decides to award the contract for the performance of work to a bidder, other than the lowest bidder, the Board shall notify the low monetary bidder of any evidence reflecting upon its responsibility received from others, or adduced as a result of an independent investigation. The Board shall afford evidence and shall permit it to present evidence that it is qualified to perform the contract. Such opportunity to rebut submitted in written form or at an informal hearing before the awarding body, committee and/or individual

H. **Bidder's Security**

1. **Type of Security Deposit or Bond.** When deemed necessary or appropriate, as with public works projects, the purchasing officer may require a bidding vendor to submit a bid security or performance bond in any of the following forms:
 - a. Cash;
 - b. A cashier's check made payable to the District;
 - c. A certified check made payable to the District;
 - d. A bidder's bond executed by a surety insurer admitted to do business in California, made payable to the District.
2. **Amount of Security Deposit or Bond.** The security shall be in an amount equal to at least ten (10) percent of the bid amount.
3. **Forfeiture of Security.** A vendor shall forfeit its bid security upon its refusal or failure to perform pursuant to the terms of its contract with the District within twenty (20) days after notice of award of contract or such lesser period specified in the notice inviting bids.

I. **Failure to Perform:**

1. Upon refusal or failure of the lowest successful bidder to execute or perform the contract pursuant to its terms, the Board designee authorized to award the contract may award it to the next lowest responsible bidder.

2. If the officer or agency of the District authorized to award the contract awards the contract to the next lowest bidder, the amount of the lowest bidder's security shall be applied by the District to the difference between the low bid and the second lowest bid, and the surplus, if any, shall be returned to the lowest bidder.
- J. **Tie Bids.** If two or more bids are submitted in the same total amount or unit price, quality and service being equal, and if the public interest will not permit the delay of re-advertising for bids, the officer or agency of the District authorized to award the contract may accept either bid.
- K. **No Bids Received.** If no bids are received following compliance with the requirements of this section, the officer or agency of the District authorized to award the contract may procure the requested supplies, equipment, or services through force account or negotiated contract without further compliance with this chapter.
- L. **Emergencies**
1. In cases of emergency when repair or replacements are necessary, the District may proceed at once to replace or repair any public facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts. The work may be done by day labor under the direction of the Facilities Department, by contractor, or by a combination of the two.
 2. In case of an emergency, if notice for bids to let contracts will not be given, the District shall comply with Chapter 2.5 of Part 3 of Division 2 of the Public Contracting Code (commencing with Section 22050).
 3. When making an emergency purchase, the requesting department shall complete a waiver of bid form and submit it to the Director of Facilities.

~~II. Progressive Design-Build "Best Value" Bidding~~

Progressive Design-Build "Best Value" Bidding

- A. ~~**Applicable law.** The procedure for selecting a contractor under the best value bidding process must comply with the requirements of Chapter 4.7 of the Public Contract Code, § 22185 et seq.~~
- B. ~~**Request for Qualification.** The District shall prepare and issue a request for qualifications in order to select a design-build entity to execute the project. The District may elect to prepare and issue a request for proposals following the request for qualifications as part of the selection process. The request for qualifications shall comply with the requirements of Public Contract Code section 22185.3 and include at minimum the following elements:~~
1. ~~Documentation of the size, type, and desired design character of the project and any other information deemed necessary to describe adequately the District's needs and inform interested parties of the contracting opportunity.~~
 2. ~~Significant factors that the District reasonably expects to consider in evaluating qualifications, including technical design, construction expertise, and other non-price-related factors. The District may require that a preliminary cost estimate be included.~~
 3. ~~The relative importance or the weight assigned to each of the factors identified in the request for qualifications.~~

4. ~~A standard template request for statements of qualifications prepared by the District. In preparing the standard template, the District may consult with the construction industry, the building trades and surety industry, and other Districts interested in using the authorization provided by this chapter. The template shall require the information specified in Public Contract Code section 22185.3, subddivision (a)(4):~~
- ~~a. Ownership Structure: If privately held, listing of all shareholders, partners, or members who will perform project work~~
 - ~~b. Experience and Capacity:~~
 - ~~i. Evidence of completed projects of similar size, scope, or complexity~~
 - ~~ii. Key personnel experience and training~~
 - ~~iii. Financial statements demonstrating capacity to complete the project~~
 - ~~c. Licensing and Credentials:~~
 - ~~i. Required licenses, registrations, and credentials~~
 - ~~ii. Information on any revocations or suspensions~~
 - ~~d. Financial Capacity:~~
 - ~~i. Evidence of ability to obtain required bonding~~
 - ~~ii. Liability insurance capacity~~
 - ~~iii. Errors and omissions insurance capacity~~
 - ~~e. Safety Information:~~
 - ~~i. Workers' compensation experience history~~
 - ~~ii. Worker safety program~~
 - ~~iii. Safety record meeting statutory standards~~
 - ~~f. Organizational Documents: Copy of organizational documents or agreement to form the organization~~
5. ~~The information required under the Request for Qualification shall be certified under penalty of perjury by the design-build entity and its general partners or joint venture members.~~

~~C. Certification. Unless authorized under Public Contract Code section 22185.3, subdivision (b)(2), a design-build entity shall not be evaluated for selection unless the entity provides an enforceable commitment to the District that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades, in accordance with Chapter 2.9 (commencing with Section 2600) of Part 1 of the Public Contract Code.~~

~~D. Solicitation and Evaluation~~

- ~~1. Advertisement: The RFQ shall be advertised in accordance with applicable public~~

~~notice requirements~~

~~2. Submission Period: Allow sufficient time for thorough response preparation~~

~~3. Evaluation Process:~~

~~a. Review submissions based on RFQ criteria~~

~~b. May conduct interviews with some or all entities~~

~~c. Select qualified design-build entity based on published criteria to contractor offering the best value based upon qualifications~~

~~E. Preconstruction Services Contract~~

~~1. Contract Elements: Upon selection, the District shall enter into a preconstruction services contract that includes:~~

~~a. Scope of Preconstruction Services:~~

~~i. Design development~~

~~ii. Value engineering~~

~~iii. Constructability review~~

~~iv. Scheduling~~

~~v. Cost estimating~~

~~vi. Permitting assistance~~

~~b. Compensation Structure:~~

~~i. Fixed fee for preconstruction services~~

~~ii. Reimbursable expenses (if applicable)~~

~~iii. Method for tracking costs~~

~~c. Design Development Process:~~

~~i. Design milestones and deliverables~~

~~ii. District review and approval procedures~~

~~iii. Design modification procedures~~

~~2. Guaranteed Maximum Price (GMP) Negotiation: During preconstruction services, the parties shall negotiate:~~

~~a. Project Scope: Final scope of work and specifications~~

~~b. Schedule: Construction schedule and milestones~~

~~c. GMP Amount: Maximum price for construction including:~~

~~i. Direct costs~~

~~ii. General conditions~~

~~iii. Contractor overhead and profit~~

~~iv. Contingencies~~

F. Construction Contract Decision

1. ~~GMP Agreement Process. If the parties reach agreement on scope, schedule, and GMP:~~
 - a. ~~Contract Amendment: Execute amendment adding construction services~~
 - b. ~~Performance Security: Design-build entity shall provide required bonds~~
 - c. ~~Insurance: Verify required insurance coverage is in place~~
2. ~~B. Alternative if No Agreement. If parties cannot reach agreement:~~
 - a. ~~Contract Termination: District may terminate preconstruction contract~~
 - b. ~~Compensation: Pay for completed preconstruction services~~
 - c. ~~Alternative Procurement: District may pursue alternative delivery methods~~
 - d. ~~Work Product: District retains rights to design work product (subject to contract terms)~~

~~G. Public Disclosure. Upon issuance of a contract award, the District shall publicly announce its award, identifying the design-build entity to which the award is made, along with a statement regarding the basis of the award. The statement regarding the District's contract award and the contract file shall provide sufficient information to satisfy an external audit.~~

~~H. Payment and Bonds. The selected contractor shall provide all required bonding and insurance information as required by the District and comply with all bonding and insurance requirements pursuant to Public Contract Code section 22185.4.~~

~~I. Reporting. No later than December 31, 2028, the District shall submit, to the appropriate policy and fiscal committees of the Legislature, a report on the use of the progressive design-build process. The report shall include the information required under Public Contract Code section 22185.8.~~

A. **Applicable law.** The procedure for selecting a contractor under the best value bidding process must comply with the requirements of Chapter 4.7 of the Public Contract Code, § 22164 et seq.

B. Requirements.

1. The District shall prepare a set of documents setting forth the scope and estimated price of the project. The documents may include, but need not be limited to, the size, type, and desired design character of the project, performance specifications covering the quality of materials, equipment, workmanship, preliminary plans or building layouts, or any other information deemed necessary to describe adequately the District's needs. The performance specifications and any plans shall be prepared by a design professional who is duly licensed and registered in California.
2. The documents shall not include a design-build-operate contract for any project. The documents, however, may include operations during a training or transition period but shall not include long-term operations for any project.

C. Request for Qualifications.

1. The District shall prepare and issue a request for qualifications in order to prequalify or short-list the design-build entities whose proposals shall be evaluated for final selection. The request for qualifications shall include, but need not be limited to, the

following elements:

2. Identification of the basic scope and needs of the project or contract, the expected cost range, the methodology that will be used by the local agency to evaluate proposals, the procedure for final selection of the design-build entity, and any other information deemed necessary by the District to inform interested parties of the contracting opportunity.
3. Significant factors that the District reasonably expects to consider in evaluating qualifications, including technical design and construction expertise, acceptable safety record, and all other nonprice-related factors.
4. A standard template request for statements of qualifications prepared by the local agency. In preparing the standard template, the local agency may consult with the construction industry, the building trades and surety industry, and other local agencies interested in using the authorization provided by this article. The template shall require the following information:
 - a. If the design-build entity is a privately held corporation, limited liability company, partnership, or joint venture, a listing of all of the shareholders, partners, or members known at the time of statement of qualification submission who will perform work on the project.
 - b. Evidence that the members of the design-build team have completed, or demonstrated the experience, competency, capability, and capacity to complete projects of similar size, scope, or complexity, and that proposed key personnel have sufficient experience and training to competently manage and complete the design and construction of the project, and a financial statement that ensures that the design-build entity has the capacity to complete the project.
 - c. The licenses, registration, and credentials required to design and construct the project, including, but not limited to, information on the revocation or suspension of any license, credential, or registration.
 - d. Evidence that establishes that the design-build entity has the capacity to obtain all required payment and performance bonding, liability insurance, and errors and omissions insurance.
 - e. Information concerning workers' compensation experience history and a worker safety program.
 - f. If the proposed design-build entity is a corporation, limited liability company, partnership, joint venture, or other legal entity, a copy of the organizational documents or agreement committing to form the organization.
 - g. An acceptable safety record. A proposer's safety record shall be deemed acceptable if its experience modification rate for the most recent three-year period is an average of 1.00 or less, and its average total recordable injury or illness rate and average lost work rate for the most recent three-year period does not exceed the applicable statistical standards for its business category or if the proposer is a party to an alternative dispute resolution system as provided for in [Section 3201.5 of the Labor Code](#).

5. The information required under this subdivision shall be certified under penalty of perjury by the design-build entity and its general partners or joint venture members. Information required under this subdivision that is not otherwise a public record under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code) shall not be open to public inspection.
 - a. A design-build entity shall not be prequalified or short-listed unless the entity provides an enforceable commitment to the local agency that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeshipable occupation in the building and construction trades, in accordance with Chapter 2.9 (commencing with [Section 2600](#)) of Part 1.

D. Request for Proposals

1. Based on the documents prepared as described in section C, the District shall prepare a request for proposals that invites prequalified or short-listed entities to submit competitive sealed proposals in the manner prescribed by the District. The request for proposals shall include, but need not be limited to, the following elements:
2. Identification of the basic scope and needs of the project or contract, the estimated cost of the project, the methodology that will be used by the District to evaluate proposals, whether the contract will be awarded on the basis of low bid or best value, and any other information deemed necessary by the District to inform interested parties of the contracting opportunity.
3. Significant factors that the District reasonably expects to consider in evaluating proposals, including, but not limited to, cost or price and all nonprice-related factors.
4. The relative importance or the weight assigned to each of the factors identified in the request for proposals.
5. Where a best value selection method is used, the District may reserve the right to request proposal revisions and hold discussions and negotiations with responsive proposers, in which case the District shall so specify in the request for proposals and shall publish separately or incorporate into the request for proposals applicable procedures to be observed by the District to ensure that any discussions or negotiations are conducted in good faith.
6. For those projects utilizing low bid as the final selection method, the competitive bidding process shall result in lump-sum bids by the prequalified or short-listed design-build entities, and awards shall be made to the design-build entity that is the lowest responsible bidder.
7. For those projects utilizing best value as a selection method, the design-build competition shall progress as follows:
 - a. Competitive proposals shall be evaluated by using only the criteria and selection procedures specifically identified in the request for proposals. The following minimum factors, however, shall be weighted as deemed appropriate by the District:
 - i. Price, unless a stipulated sum is specified.

- ii. Technical design and construction expertise.
 - iii. Life-cycle costs over 15 or more years.
- b. Pursuant to subdivision (d), the District may hold discussions or negotiations with responsive proposers using the process articulated in the District request for proposals.
- c. When the evaluation is complete, the responsive proposers shall be ranked based on a determination of value provided, provided that no more than three proposers are required to be ranked.
- d. The award of the contract shall be made to the responsible design-build entity whose proposal is determined by the local agency to have offered the best value to the public.
- E. **Public Disclosure.** Upon issuance of a contract award, the District shall publicly announce its award, identifying the design-build entity to which the award is made, along with a statement regarding the basis of the award. The statement regarding the District's contract award and the contract file shall provide sufficient information to satisfy an external audit.
- F. **Payment and Bonds.** The selected contractor shall provide all required bonding and insurance information as required by the District and comply with all bonding and insurance requirements pursuant to Public Contract Code section 22185.4.

All Revision Dates

10/2025, 07/2025, 04/2022, 03/2019, 10/2017

Approval Signatures

Step Description

Approver

Date

Anna Roth: President & CEO

Pending

Sarah Jackson: Executive
Assistant, Clerk of the Board

10/2025



AGENDA ITEM COVER SHEET

MEETING DATE: October 15, 2025 Governance Committee	ITEM: Guidelines for Business by the Tahoe Forest Hospital District Board of Directors, ABD-12
DEPARTMENT: Board Policy	TYPE OF AGENDA ITEM: ☐ Action ☐ Consent ☒ Discussion
RESPONSIBLE PARTY: Sarah Jackson, Executive Assistant / Clerk of the Board	SUPPORTIVE DOCUMENT ATTACHED ☐ Agreement ☐ Presentation ☐ Resolution ☒ Other Policies
BUDGET: ALLOCATED IN THE BUDGET ☐ Yes ☐ No ☒ N/A IS A BUDGET TRANSFER REQUIRED ☐ Yes ☐ No ☒ N/A	PERSONNEL ADDITIONAL PERSONNEL REQUIRED ☐ Yes ☐ No ☒ N/A
BACKGROUND: Administrative and departmental operating policies must be reviewed <i>at least once every three years</i> , more often as necessary. ABD - Board P&P's describes the role, organization, integration and responsibilities of the Governing Bodies within the organization including, Board Members and Administration, guiding consistent corporate behavior and decision making in alignment with the Mission and Values of TFHS. AGOV - Governance P&P's describe the services provided and basic principles that direct the provision of care at all levels within the organization.	
SUMMARY/OBJECTIVES: ABD-12 describes the general guidelines for the conduct of business by the Board of Directors of Tahoe Forest Hospital District generally governed by the District Bylaws and the Brown Act.	
SUGGESTED DISCUSSION POINTS: On Friday 10/8/25 Governor Newsom signed CA SB 707 which has made significant updates to the Brown Act. Tahoe Forest Hospital District will be impacted by these changes which will need to be implemented by 01/01/2026. General Counsel is preparing a memo on SB 707 detailing the changes and how they impact our District.	
SUGGESTED MOTION/ALTERNATIVES: This policy version does not incorporate any changes from the 10/08/25 amended Brown Act SB707 – Open Meetings. Recommend bringing this policy when revised to the Full Board for approval on revisions.	

LIST OF ATTACHMENTS:

- Guidelines for Business by the Tahoe Forest Hospital District Board of Directors, ABD-12
- SB-707 Open Meetings (redline)



TAHOE
FOREST
HEALTH
SYSTEM

Origination 08/1990
Date
Last 12/2022
Approved
Last Revised 12/2022
Next Review 12/2025

Department Board - ABD
Applicabilities System

Guidelines for Business by the Tahoe Forest Hospital District Board of Directors, ABD-12

RISK:

Failure to explain the guidelines for the Board of Directors in conducting business for the Tahoe Forest Hospital District and/or clarify the requirements of state law for public meetings while conducting business and meetings on behalf of the District could result in noncompliance with the Tahoe Forest Hospital District Bylaws and/or the Ralph M. Brown Act, hereinafter referred to as Brown Act.

POLICY:

In an effort to make known to any interested party the general guidelines for the conduct of business by the Board of Directors of the Tahoe Forest Hospital District, the following is a compendium of provisions from the District Bylaws and the Brown Act.

PROCEDURE:

A. Officers of the Board of Directors

1. The officers of the Board of Directors are: Chair, Vice Chair, Secretary and Treasurer.
2. The officers shall be chosen every year by the Board of Directors at a Board meeting in December and each officer shall hold office for a one-year term or until such officer's successor shall be elected and qualified or until such officer is otherwise disqualified to serve. The person holding the office of Chair of the Board of Directors may serve successive terms by unanimous vote taken at a regularly scheduled meeting. The office of Chair, Vice Chair, Secretary and Treasurer shall be filled by members of the Board of Directors.

B. Meetings Of The Board of Directors

1. Regular Meetings: Regular meetings of the Board of Directors shall be held the fourth Thursday of each month at 4:00 PM at a location within the Hospital District

boundaries, except for regular meetings in November and December which shall be held on the third Thursday of the month at 4:00 PM. The regular meeting shall begin in open session in accordance with the Brown Act and may adjourn to closed session in compliance with law. The notice for meetings of the Board of Directors and Board standing committees ("Committee(s)") shall be posted per the requirements of the Brown Act.

2. It is the duty, obligation, and responsibility of the Board Chair and Board Committee chairpersons to call for Board of Directors and Board Committee meetings and meeting locations. This authority is vested within the office of the Board Chair or the Board Committee chair and is expected to be used with the best interests of the District, Directors, staff and communities we serve.
3. Special Meetings: Special meetings of the Board of Directors may be held from time to time as specified in the District Bylaws and with the required 24 hours' notice as stated in the Brown Act.
 - a. The Chair of the Board, or three directors, may call a special meeting in accordance with the notice and posting provisions of the Brown Act.
 - b. Special meetings shall be called by delivering written notice to each Board Member and to the public in compliance with the Brown Act, including providing a description of the business to be transacted. Board Members may dispense with the written notice provision if a written waiver of notice has been filed with the Clerk before a meeting convenes.
 - c. No business other than the purpose for which the special meeting was called shall be considered, discussed, or transacted at the meeting.
4. Emergency Meetings: Emergency meetings may be called in the event of an emergency situation, defined as a crippling disaster, work stoppage or other activity which severely impairs public health, safety or both, as determined by a majority of the Board, or in the event of a dire emergency, defined as a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity so immediate and significant that requiring one hour notice before holding an emergency meeting may endanger the public health, safety, or both as determined by a majority of the Board.
 - a. In the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, then a one (1) hour notice provision as prescribed by the Brown Act is required. In the event telephone communication services are not working, notice must be given as soon as possible after the meeting.
 - b. No business other than the purpose for which the emergency meeting was called shall be considered, discussed, or transacted at the meeting.
5. Closed Session Meetings: Closed session meetings of the Board of Directors and Board Committees may be held as deemed necessary by members of the Board of Directors or the President & Chief Executive Officer (CEO) pursuant to the required notice and the restriction of subject matter as defined in the Brown Act and the Local Health Care District Law.

- a. Under no circumstances shall the Board of Directors order a closed session meeting for the purposes of discussing or deliberating, or to permit the discussion or deliberation in any closed meeting of any proposals regarding:
 - i. The sale, conversion, contract for management, or leasing of any District health care facility or the assets thereof, to any for-profit or nonprofit entity, agency, association, organization, governmental body, person, partnership, corporation, or other district.
 - ii. The conversion of any District health care facility to any other form of ownership by the District.
 - iii. The dissolution of the District.
 - b. Documentation for closed session items may be provided on the Board portal at least 72 hours prior to the session for regular meetings and 24 hours before special closed session meetings. Once the session has been completed, all documentation will be removed from the portal. Hard copy documentation may be made available during the actual closed session but will be returned by all Board Members at the completion of the closed session.
 - c. As a best practice, closed session will be attended by General Counsel.
6. Teleconferencing: Any regular, special, or emergency meeting at which teleconferencing is utilized shall be conducted in compliance with the provisions of the Brown Act. These may include:
- a. All votes taken by teleconference must be taken by roll call.
 - b. At least a quorum of the Board must participate from locations within the District boundaries.
7. All meetings of the Board of Directors shall be chaired by members of the Board of Directors in the following order: Chair, Vice Chair, and Secretary.

C. Activities/Meetings of Board Committees

- 1. Board Committees will undertake the activities of the committee as outlined in the Tahoe Forest Hospital District Bylaws. In addition, each Committee will annually establish Committee goals, and such goals will be presented to the Board of Directors for approval.

D. Meetings Open to the Public

All meetings of the Board of Directors and Board Committees are open to the public with the exception of the closed session portion of such meetings and ad hoc committee meetings that are not subject to the Brown Act.

E. Notices of Meetings of the Board of Directors and Board Committees Supplied to the Public

Notices of any regular or special meeting of the Board of Directors and Board Committees shall be mailed to any interested party who has filed a written request for such notice. The request must be renewed annually in writing. Notices and agendas of any regular or special

meeting are also posted on the District website or at a location freely accessible to the public.

F. Board and Board Committee Agenda Packets for Members of the Public

1. Board and Board Committee agendas and agenda materials are available for review on the District website or at the Board or Board Committee meeting itself.
2. Any requests from the public for Board and Board Committee agenda packets shall be filled within a reasonable amount of time. Any member of the public requesting a Board or Board Committee agenda packet with all attachments shall be charged in accordance with the Inspection and Copying of Public Records, ABD-14 policy for such material. The charge is only intended to capture direct costs associated with complying with public requests for documents provided by the California Public Records Act. In no way does the District profit from this activity; but only seeks to remain fiscally prudent and provide equity of service while maintaining easy access. Additionally, any members of the public being able to demonstrate true indigence shall be exempted from the fee per page charges. An agenda packet with all attachments shall be made available for use by any interested party at all regular and special meetings of the Board of Directors and Board Committee meetings.

G. Public Input at Meetings of the Board of Directors and Board Committee Meetings

On each agenda of regular and special meetings of the Board of Directors and Board Committee meetings, there shall be a provision made for input from the audience. The Board of Directors or Board Committee may impose a time limit for such public input. Pursuant to the Brown Act, items which have not previously been posted on the meeting agenda may not be discussed or acted upon at that meeting by the Board of Directors with the following exceptions:

1. If a majority of the Board of Directors determines that an emergency situation exists as defined under the "Emergency Meetings" section of this policy, or
2. If two-thirds of the members of the Board of Directors or Board Committee present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, agree an item requires immediate action and the need for action came to the District's attention after the agenda was posted, or
3. If the item was previously posted in connection with a meeting which occurred no more than 5 days prior to the date on which the proposed action will be taken.

H. Preparation of the Agenda for Board or Board Committee Meetings

1. Placing of Items on the Agenda:
 - a. As provided for in the Brown Act pertaining to public input, the District will provide an opportunity for members of the public to address the Board on any matter within their subject matter jurisdiction at monthly, regularly scheduled meetings. It is the desire of the Board of Directors to adhere to legislative requirements and conduct the business of the District in a manner so as to address the needs and concerns of members of the public.
 - b. Members of the public are directed to contact the Chair of the Board of Directors, a Director of the Board or the President & Chief Executive Officer at least two weeks prior to the meeting of the Board of Directors at which

they wish to have an items placed on the agenda for discussion/action. Requests to Directors of the Board will be referred to the President & Chief Executive Officer for follow up. While the District values public input, the Board and District staff control meeting agendas and the District has no obligation to agendize a matter requested by a member of the public. If a matter is not agendized, the person seeking to discuss it may raise it in the public comment portion of a meeting.

- c. No matters shall be placed on the agenda that are beyond the jurisdiction and authority of a Local Health Care District or that are not relevant to hospital district governance.
 - d. Last minute supporting documents by staff put Board Members at a disadvantage by diluting the opportunity to study the documents. All late submission of supporting documents must be justified in writing stating the reasons for the late submission. The Clerk will notify the Board of late submissions and their justification when appropriate. Bona fide emergency items involving public health and safety requiring Board action will be excluded.
2. The President & Chief Executive Officer and Board Chair, with input from members of the Board, shall prepare the agendas for the meetings of the Board of Directors. The President & Chief Executive Officer or his or her designee and the Board Committee chairperson shall prepare the agendas for the meetings of the Board Committees. Items to be placed on an agenda should be submitted to the President & Chief Executive Officer or the Clerk of the Board no later than 10 days prior to the Board meeting.
 3. In addition to discussing with the Board Chair or President & Chief Executive Officer, a Board Member can ask that a topic be placed on next month's agenda for discussion during the appropriate time at a Board meeting. An item will be placed on next month's agenda if a majority of the Board concurs. No more than two items per Board Member will be considered at a Board meeting.
 4. The format for agendas of meetings of the Board of Directors will be as follows unless the Board or President & Chief Executive Officer otherwise directs:
 - a. Call to Order
 - b. Roll Call
 - c. Deletions/Corrections to the Posted Agenda
 - d. Input – Audience
 - e. Closed Session, if necessary
 - f. Acknowledgments (if any)
 - g. Medical Staff Executive Committee
 - h. Consent Calendar
 - i. Items for Board Action
 - j. Items for Board Discussion

k. Discussion of Consent Calendar Items Pulled, if necessary

l. Board Members Reports/Closing Remarks

5. The Board of Directors wishes to facilitate input from members of the Medical Staff. When possible, items of concern to the members of the Medical Staff will be placed as a timed item in the agenda as appropriate within the format as detailed above to minimize the demands on the time of the Medical Staff members.
6. The Board Chair and the President & Chief Executive Officer will create a "Consent Calendar" for those items on the agenda which are reasonably expected to be routine and non-controversial. The Board of Directors shall consider all of the items on the agenda marked consent calendar at one time by vote after a motion has been duly made and seconded. If any member of the Board of Directors or District staff requests that a consent item be removed from the list of consent items prior to the vote on the consent calendar, such item shall be taken up for separate consideration and disposition. Members of the public may request a Board Member do so on their behalf, or may provide public comment on a particular item before the Board votes on the consent calendar.
 - a. Board Members are encouraged to notify the Board Chair and President & Chief Executive Officer prior to a meeting if there is intent to pull an item and/or provide questions and concerns. This will enable proper preparation to address questions and concerns.
 - b. Department Heads, or their designated representative, will be present during the consent calendar to answer any questions. If the Department Head is unable to attend, the President & Chief Executive Officer will respond to questions and/or the item may be postponed until later in the meeting or a following meeting if necessary.
7. The Chair of the Board of Directors will approve the agenda before its distribution.

I. Notification by Board Member of Anticipated Absences

In the event a Board Member will be out of the area or unable to participate in a meeting, the Board Member is to provide written or electronic notification to the Clerk of the Board with information including the dates of absence and best method of contact.

J. Minutes of Meetings of the Board of Directors and Board Committees

Minutes of meetings of the Board of Directors and Board Committees shall be taken by the Clerk of the Board. The minutes shall be transcribed by the Clerk of the Board and reviewed by the President & Chief Executive Officer prior to submittal to the Board of Directors or Board Committees for review and approval at their next regularly scheduled meeting.

K. Discussion/Debate

1. As is practical, staff oral summaries shall precede motions and public comment on an agenda item.
2. Invited outside presenters, such as our auditors, accountants, and legal counsel shall offer their comments and documentation prior to a motion being introduced by one of the Board Members and public comment on an agenda item.
3. *Brief* questions to fill in knowledge gaps or to provide clarification should be posed

prior to motion language being introduced and public input/comments on an agenda item. This is not an opportunity for Board Members to state their views on the substance of a matter.

4. Any Board Committee input or recommendations should be presented prior to a motion. Again, *brief* questioning for clarification may be engaged in prior to motions; this is not an opportunity for Board Members to state their views on the substance of a matter.
5. Public input/comments regarding items not on the agenda will be sought at the beginning of Board/Board Committee meetings during the time allotted for public input. Public input/comments regarding agenda items will be sought during the consideration of these items, before action is taken, at Board/Board Committee meetings. It is noted that presentations from outside organizations may be referred to a Board Committee by the Board Chair for the formulation of a recommendation to the Board of Directors.
6. Requests by Board Members during a meeting for the opportunity to speak, for public input, or for additional staff input, should be made through the Board Chair.

L. Voting/Motions

1. Any member of the Board of Directors may introduce or second a motion, including the Board Chair or other currently presiding officer. All members, including the Board Chair, are encouraged to vote on all motions presented while in attendance unless required to abstain by a conflict of interest or other law. If a Director's vote is not discernible, the vote shall be recorded as in favor of the motion.
2. Amendment of a motion may only be amended by the motion maker with the concurrence of the second.
3. No more than one motion can be considered at a time.
4. Recording of the vote shall be first done by voice vote, with exception going to resolutions that require a roll call vote as a matter of law. Any member may request a roll call vote on any motion; such requests will not require a second and shall be performed at once.
5. Three votes of the Board, unless a greater number is required by law, are required to constitute a Board action. A tie vote on a motion affecting the merits of any matter shall be deemed to be a denial of the matter.
6. Motion of Reconsideration: When additional information has surfaced at a meeting after a motion has duly passed or failed, a motion for reconsideration may be accepted only if advanced or seconded by a Board Member that voted in the minority on the original motion. The Board Chair may reschedule an item if the participating public was present when originally considered and departed before reconsideration. Questions from the Board will occur prior to public comment. Items will not be debated by the Board until after public comment has been closed.
7. "Secret ballots" or any other means of casting anonymous or confidential votes are strictly prohibited per law. All votes shall be recorded and be available for public review.

8. Unless otherwise noted, all Board related business, whether in committee or Board session (open or closed) shall be conducted in compliance with this policy. The Board formally adopts this method of conducting business to ensure that all Board affairs are conducted in an equitable, orderly and timely fashion. Parliamentary procedures are seen as a valuable tool for proper conduct in meetings, and should provide a degree of standardization in regards to other governmental interests, facilitating the public's understanding (and other governmental bodies' understanding) our actions.

M. Urgent Decisions

In the event that an urgent or emergent decision or action is required by the Board prior to a regularly scheduled meeting, the Chair of the Board, or a majority of the Board Members, may call a special or emergency Board meeting to take action.

N. Contingent Approval

1. In the event the Board approves an item at a Board meeting in which all of the terms, conditions, restrictions, commitments, etc. are clearly defined, but which such provisions have not been formalized in contracts or other appropriate documentation, the Board may give preliminary approval to the President & Chief Executive Officer to execute the contract or other appropriate documentation, contingent upon the following:
 - a. the terms are not substantively altered from those previously approved,
 - b. all involved parties to the transaction or agreement are notified in writing of the contingent approval of the terms pending ratification by the Board, and
 - c. the final terms and documentation are approved or rejected by the Board at a subsequent Board meeting.
2. If the terms of the supporting documentation are substantively different than those previously approved at the public meeting, then approval must be obtained at a subsequent Board meeting.

O. Complaints Addressed to the Board

Written comments or complaints addressed to any or all members of the Board that are received by Board Members or Health System staff member must be forwarded immediately to the Clerk of the Board. The Clerk of the Board will deliver copies of complaints to the President & CEO and Health System's Patient Experience Specialist.

P. Board Member Request for Information

1. Individual Board Members may request data from the District by completing a Board of Directors Information Request Form indicating the specific information requested.
 - a. The President & CEO will review the request to determine material availability, sensitivity, necessary resources, and anticipated cost (if any) of production.
 - b. Should the President & CEO determine that materials are not readily available, sensitive in nature or costly to produce, the President & CEO may defer to a decision of the Board of Directors to fulfill the request.

- c. All approved requests by the President & CEO and/or the Board of Directors will be produced and distributed to each member of the Board of Directors.

Related Policies/Forms:

Board of Directors Information Request Form

References:

Ralph M. Brown Act (CA Govt Code §54950)

All Revision Dates

12/2022, 07/2019, 08/2018, 03/2016, 12/2015, 06/2014, 01/2014, 01/2012, 03/2008

Attachments

 [Information Request Form.pdf](#)

Approval Signatures

Step Description	Approver	Date
	Harry Weis: CEO	12/2022
	Martina Rochefort: Clerk of the Board	12/2022



SB-707 Open meetings: meeting and teleconference requirements. (2025-2026)

As Amends the Law Today

SECTION 1. Section 54952.2 of the Government Code, as amended by Section 1 of Chapter 89 of the Statutes of 2020, is amended to read:

54952.2. (a) As used in this chapter, "meeting" means any congregation of a majority of the members of a legislative body at the same time and location, including teleconference location as permitted by Section 54953, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body.

(b) (1) A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.

(2) Paragraph (1) shall not be construed as preventing an employee or official of a local agency, from engaging in separate conversations or communications outside of a meeting authorized by this chapter with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency, if that person does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body.

(3) (A) Paragraph (1) shall not be construed as preventing a member of the legislative body from engaging in separate conversations or communications on an internet-based social media platform to answer questions, provide information to the public, or to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the legislative body provided that a majority of the members of the legislative body do not use the internet-based social media platform to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body. A member of the legislative body shall not respond directly to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member of the legislative body.

(B) For purposes of this paragraph, all of the following definitions shall apply:

(i) "Discuss among themselves" means communications made, posted, or shared on an internet-based social media platform between members of a legislative body, including comments or use of digital icons that express reactions to communications made by other members of the legislative body.

(ii) "Internet-based social media platform" means an online service that is open and accessible to the public.

(iii) "Open and accessible to the public" means that members of the general public have the ability to access and participate, free of charge, in the social media platform without the approval by the social media platform or a person or entity other than the social media platform, including any forum and chatroom, and cannot be blocked from doing so, except when the internet-based social media platform determines that an individual violated its protocols or rules.

(c) Nothing in this section shall impose the requirements of this chapter upon any of the following:

(1) Individual contacts or conversations between a member of a legislative body and any other person that do not violate subdivision (b).

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

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

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

(5) The attendance of a majority of the members of a legislative body at a purely social or ceremonial occasion, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

(6) The attendance of a majority of the members of a legislative body at an open and noticed meeting of a standing committee of that body, provided that the members of the legislative body who are not members of the standing committee attend only as observers.

~~(d) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.~~

SEC. 2. Section 54952.2 of the Government Code, as added by Section 2 of Chapter 89 of the Statutes of 2020, is repealed.

~~**54952.2.** (a) As used in this chapter, "meeting" means any congregation of a majority of the members of a legislative body at the same time and location, including teleconference location as permitted by Section 54953, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body.~~

~~(b) (1) A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.~~

~~(2) Paragraph (1) shall not be construed as preventing an employee or official of a local agency, from engaging in separate conversations or communications outside of a meeting authorized by this chapter with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency, if that person does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body.~~

~~(c) Nothing in this section shall impose the requirements of this chapter upon any of the following:~~

~~(1) Individual contacts or conversations between a member of a legislative body and any other person that do not violate subdivision (b);~~

~~(2) The attendance of a majority of the members of a legislative body at a conference or similar gathering open to the public that involves a discussion of issues of general interest to the public or to public agencies of the type represented by the legislative body, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specified nature that is within the subject matter jurisdiction of the local agency. Nothing in this paragraph is intended to allow members of the public free admission to a conference or similar gathering at which the organizers have required other participants or registrants to pay fees or charges as a condition of attendance.~~

~~(3) The attendance of a majority of the members of a legislative body at an open and publicized meeting organized to address a topic of local community concern by a person or organization other than the local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled~~

program, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

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

~~(5) The attendance of a majority of the members of a legislative body at a purely social or ceremonial occasion, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.~~

~~(6) The attendance of a majority of the members of a legislative body at an open and noticed meeting of a standing committee of that body, provided that the members of the legislative body who are not members of the standing committee attend only as observers.~~

~~(d) This section shall become operative on January 1, 2026.~~

SEC. 3. Section 54952.7 of the Government Code is amended to read:

54952.7. A ~~legislative body of a~~ local agency ~~may require that~~ *shall provide* a copy of this chapter ~~be given to each member of the legislative body and to~~ any person elected *or appointed* to serve as a member of ~~the legislative body who has not assumed the duties of office. An elected legislative body of a local agency may require that a copy of this chapter be given to each member of each legislative body all or a majority of whose members are appointed by or under the authority of the elected legislative body.~~ *a legislative body of the local agency.*

SEC. 4. Section 54953 of the Government Code, as amended by Section 2 of Chapter 534 of the Statutes of 2023, is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. If the legislative body of a local agency elects to use teleconferencing, the legislative body of a local agency shall comply with all of the following:

(A) All votes taken during a teleconferenced meeting shall be by rollcall.

(B) The teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.

(C) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(D) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as *expressly* provided in ~~subdivisions (d) and (e):~~ *this chapter.*

(4) The teleconferencing requirements of this subdivision shall not apply to remote participation described in subdivision (c).

(c) (1) Nothing in this chapter shall be construed to prohibit a member of a legislative body with a disability from participating in any meeting of the legislative body by remote participation as a reasonable accommodation pursuant to any applicable law.

(2) A member of a legislative body participating in a meeting by remote participation pursuant to this subdivision shall do both of the following:

(A) The member shall participate through both audio and visual technology, except that any member with a disability, as defined in 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.

(B) 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.

(3) Remote participation under this subdivision shall be treated as in-person attendance at the physical meeting location for all purposes, including any requirement that a quorum of the legislative body participate from any particular location. The provisions of subdivision (b) and Sections 54953.8 to 54953.8.7, inclusive, shall not apply to remote participation under this subdivision.

~~(e)~~ (d) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) (A) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of ~~a local agency executive, as defined in subdivision (d) of Section 3511.1, either of the following~~ during the open meeting in which the final action is to be ~~taken. This paragraph shall not affect the public's right under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1) to inspect or copy records created or received in the process of developing the recommendation.~~ *taken:*

~~(d) (i) (1) A Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting. local agency executive, as defined in subdivision (d) of Section 3511.1.~~

~~(2) (ii) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section. A department head or other similar administrative officer of the local agency.~~

(B) This paragraph shall not affect the public's right under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

~~(3) (e) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members. section, both of the following definitions apply:~~

~~(e) (1) The legislative body of a local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in either of the following circumstances:~~

~~(A) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees:~~

~~(B) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (A), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees:~~

~~(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:~~

~~(A) In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option:~~

~~(B) In the event of a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1:~~

~~(C) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time:~~

~~(D) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate:~~

~~(E) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (D), to provide public comment until that timed public comment period has elapsed:~~

~~(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (D), or otherwise be recognized for the purpose of providing public comment:~~

~~(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (D), until the timed general public comment period has elapsed:~~

~~(3) If a state of emergency remains active, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 45 days after teleconferencing for the first time pursuant to subparagraph (A) or (B) of paragraph (1), and every 45 days thereafter, make the following findings by majority vote:~~

~~(A) The legislative body has reconsidered the circumstances of the state of emergency:~~

~~(B) The state of emergency continues to directly impact the ability of the members to meet safely in person:~~

~~(4) This subdivision shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment:~~

~~(f) The legislative body shall have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the procedure for receiving and resolving requests for accommodation:~~

~~(g) The legislative body shall conduct meetings subject to this chapter consistent with applicable civil rights and nondiscrimination laws:~~

~~(h) (1) Nothing in this section shall prohibit a legislative body from providing the public with additional teleconference locations.~~

~~(2) Nothing in this section shall prohibit a legislative body from providing the public with additional physical locations in which the public may observe and address the legislative body by electronic means.~~

~~(i) For the purposes of this section, the following definitions shall apply:~~

~~(1) "State of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2); "Disability" means a physical disability or a mental disability as those terms are defined in Section 12926 and used in Section 12926.1, or a disability as defined in Section 12102 of Title 42 of the United States Code.~~

~~(2) (A) "Teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.~~

~~(j) (B) This section shall become operative January 1, 2026. Notwithstanding subparagraph (A), "teleconference" does not include one or more members watching or listening to a meeting via webcasting or any other similar electronic medium that does not permit members to interactively speak, discuss, or deliberate on matters.~~

~~(3) "Remote participation" means participation in a meeting by teleconference at a location other than any physical meeting location designated in the notice of the meeting.~~

SEC. 5. Section 54953.4 is added to the Government Code, to read:

54953.4. (a) The Legislature finds and declares that public access, including through translation of agendas as required by this section, is necessary for an informed populace. The Legislature encourages local agencies to adopt public access requirements that exceed the requirements of this chapter by translating additional languages, employing human translators, and conducting additional outreach.

(b) (1) In addition to any other applicable requirements of this chapter, a meeting held by a eligible legislative body pursuant to this chapter shall comply with both of the following requirements:

(A) (i) (I) (ia) All open and public meetings shall include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform, except if adequate telephonic or internet service is not operational at the meeting location. If adequate telephonic or internet service is operational at the meeting location during only a portion of the meeting, the legislative body shall include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform during that portion of the meeting.

(ib) (Ia) On or before July 1, 2026, an eligible legislative body shall approve at a noticed public meeting in open session, not on the consent calendar, a policy regarding disruption of telephonic or internet service occurring during meetings subject to this sub-subclause. The policy shall address the procedures for recessing and reconvening a meeting in the event of disruption and the efforts that the eligible legislative body shall make to attempt to restore the service.

(Ib) If a disruption of telephonic or internet service that prevents members of the public from attending or observing the meeting via the two-way telephonic service or two-way audiovisual platform occurs during the meeting, the eligible legislative body shall recess the open session of the meeting for at least one hour and make a good faith attempt to restore the service. The eligible legislative body may meet in closed session during this period. The eligible legislative body shall not reconvene the open session of the meeting until at least one hour following the disruption, or until telephonic or internet service is restored, whichever is earlier.

(Ic) Upon reconvening the open session, if telephonic or internet service has not been restored, the eligible legislative body shall adopt a finding by rollcall vote that good faith efforts to restore the telephonic or internet service have been made in accordance with the policy adopted pursuant to sub-sub-subclause (Ia) and that the public interest in continuing the meeting outweighs the public interest in remote public access.

(II) Subclause (I) does not apply to a meeting that is held to do any of the following:

(ia) Attend a judicial or administrative proceeding to which the local agency is a party.

(ib) Inspect real or personal property provided that the topic of the meeting is limited to items directly related to the real or personal property.

(ic) Meet with elected or appointed officials of the United States or the State of California, solely to discuss a legislative or regulatory issue affecting the local agency and over which the federal or state officials have jurisdiction.

(id) Meet in or nearby a facility owned by the agency, provided that the topic of the meeting is limited to items directly related to the facility.

(ie) Meet in an emergency situation pursuant to Section 54956.5.

(ii) If an eligible legislative body elects to provide a two-way audiovisual platform, the eligible legislative body shall publicly post and provide a call-in option, and activate any automatic captioning function during the meeting if an automatic captioning function is included with the two-way audiovisual platform. If an eligible legislative body does not elect to provide a two-way audiovisual platform, the eligible legislative body shall provide a two-way telephonic service for the public to participate in the meeting, pursuant to subclause (I).

(B) (i) All open and public meetings for which attendance via a two-way telephonic service or a two-way audiovisual platform is provided in accordance with paragraph (1) shall provide the public with an opportunity to provide public comment in accordance with Section 54954.3 via the two-way telephonic or two-way audiovisual platform, and ensure the opportunity for the members of the public participating via a two-way telephonic or two-way audiovisual platform to provide public comment with the same time allotment as a person attending a meeting in person.

(2) (A) An eligible legislative body shall reasonably assist members of the public who wish to translate a public meeting into any language or wish to receive interpretation provided by another member of the public, so long as the interpretation is not disrupting to the meeting, as defined in Section 54957.95. The eligible legislative body shall publicize instructions on how to request assistance under this subdivision. Assistance may include any of the following, as determined by the eligible legislative body:

(i) Arranging space for one or more interpreters at the meeting location.

(ii) Allowing extra time during the meeting for interpretation to occur.

(iii) Ensuring participants may utilize their personal equipment or reasonably access facilities for participants to access commercially available interpretation services.

(B) This section does not require an eligible legislative body to provide interpretation of any public meeting, however, an eligible legislative body may elect to provide interpretation of any public meeting.

(C) The eligible legislative body is not responsible for the content or accuracy of any interpretation facilitated, assisted with, or provided under this subdivision. An action shall not be commenced or maintained against the eligible legislative body arising from the content or accuracy of any interpretation facilitated, assisted with, or provided under this subdivision.

(3) An eligible legislative body shall take the following actions to encourage residents, including those in underrepresented communities and non-English-speaking communities, to participate in public meetings:

(A) Have in place a system for electronically accepting and fulfilling requests for meeting agendas and documents pursuant to Section 54954.1 through email or through an integrated agenda management platform. Information about how to make a request using this system shall be accessible through a prominent direct link posted on the primary internet website home page of the eligible legislative body.

(B) (i) Create and maintain an accessible internet webpage dedicated to public meetings that includes, or provides a link to, all of the following information:

(I) A general explanation of the public meeting process for the eligible legislative body.

(II) An explanation of the procedures for a member of the public to provide in-person or remote oral public comment during a public meeting or to submit written public comment.

(III) A calendar of all public meeting dates with calendar listings that include the date, time, and location of each public meeting.

(IV) The agenda posted online pursuant to paragraph (2) of subdivision (a) of Section 54954.2.

(ii) The eligible legislative body shall include a link to the webpage required by subparagraph (A) on the home page of the eligible legislative body's internet website.

(C) (i) Make reasonable efforts, as determined by the legislative body, to invite groups that do not traditionally participate in public meetings to attend those meetings, which may include, but are not limited to, all the following:

(I) Media organizations that provide news coverage in the jurisdiction of the eligible legislative body, including media organizations that serve non-English-speaking communities.

(II) Good government, civil rights, civic engagement, neighborhood, and community group organizations, or similar organizations that are active in the jurisdiction of the eligible legislative body, including organizations active in non-English-speaking communities.

(ii) Legislative bodies shall have broad discretion in the choice of reasonable efforts they make under this subparagraph. No action shall be commenced or maintained against an eligible legislative body arising from failing to provide public meeting information to any specific group pursuant to this subparagraph.

(c) (1) (A) The agenda for each meeting of an eligible legislative body shall be translated into all applicable languages, and each translation shall be posted in accordance with Section 54954.2. Each translation shall include instructions in the applicable language describing how to join the meeting by the telephonic or internet-based service option, including any requirements for registration for public comment.

(B) The accessible internet webpage provided under subparagraph (B) of paragraph (3) of subdivision (b) shall be translated into all applicable languages, and each translation shall be accessible through a prominent direct link posted on the primary internet website home page of the eligible legislative body.

(2) A translation made using a digital translation service shall satisfy the requirements of paragraph (1).

(3) The eligible legislative body shall make available a physical location that is freely accessible to the public in reasonable proximity to the physical location in which the agenda and translations are posted as described in paragraph (1), and shall allow members of the public to post additional translations of the agenda in that location.

(4) The eligible legislative body is not responsible for the content or accuracy of any translation provided pursuant to this subdivision. No action shall be commenced or maintained against an eligible legislative body arising from the content, accuracy, posting, or removal of any translation provided by the eligible legislative body or posted by any person pursuant to this subdivision.

(5) For the purposes of this section, the agenda does not include the entire agenda packet.

(d) This section shall not be construed to affect or supersede any other applicable civil rights, nondiscrimination, or public access laws.

(e) For purposes of this section, all of the following definitions apply:

(1) (A) "Applicable languages" means languages, according to data from the most recent American Community Survey, spoken jointly by 20 percent or more of the applicable population, provided that 20 percent or more of the population that speaks that language in that city or county speaks English less than "very well."

(B) For the purposes of subparagraph (A), the applicable population shall be determined as follows:

(i) For an eligible legislative body that is a city council or county board of supervisors, the applicable population shall be the population of the city or county.

(ii) For an eligible legislative body of a special district, the applicable population shall be either of the following, at the discretion of the board of directors of the special district:

(I) The population of the county with the greatest population within the boundaries of the special district.

(II) The population of the service area of the special district, if the special district has the data to determine what languages spoken by the population within its service area meet the requirements of paragraph (A).

(C) If more than three languages meet the criteria set forth in subparagraph (A), "applicable languages" shall mean the three languages described in subparagraph (A) that are spoken by the largest percentage of the population.

(D) An eligible legislative body may elect to determine the applicable languages based upon a source other than the most recent American Community Survey if it makes a finding, based upon substantial evidence, that the other source provides equally or more reliable data for the territory over which the eligible legislative body exercises jurisdiction.

(2) "Eligible legislative body" means any of the following:

(A) A city council of a city with a population of 30,000 or more.

(B) A county board of supervisors of a county, or city and county, with a population of 30,000 or more.

(C) A city council of a city located in a county with a population of 600,000 or more.

(D) The board of directors of a special district that has an internet website and meets any of the following conditions:

(i) The boundaries of the special district include the entirety of a county with a population of 600,000 or more, and the special district has over 200 full-time equivalent employees.

(ii) The special district has over 1,000 full-time equivalent employees.

(iii) The special district has annual revenues, based on the most recent Financial Transaction Report data published by the California State Controller, that exceed four hundred million dollars (\$400,000,000), adjusted annually for inflation commencing January 1, 2027, as measured by the percentage change in the California Consumer Price Index from January 1 of the prior year to January 1 of the current year, and the special district employs over 200 full-time equivalent employees.

(3) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service.

(4) "Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.

(f) This section shall become operative on July 1, 2026.

(g) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

SEC. 6. Section 54953.5 of the Government Code is amended to read:

54953.5. (a) Any person attending an open and public meeting of a legislative body of a local agency shall have the right to record the proceedings ~~with an audio or video recorder or a still or motion picture camera~~ in the absence of a reasonable finding by the legislative body of the local agency that the recording cannot continue without noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the proceedings.

(b) Any ~~audio or video~~ recording of an open and public meeting made for whatever purpose by or at the direction of the local agency shall be subject to inspection pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), but, notwithstanding Section 34090, may be erased or destroyed 30 days after the recording. Any inspection of an audio or video recording shall be provided without charge on equipment made available by the local agency.

SEC. 7. Section 54953.7 of the Government Code is amended to read:

54953.7. Notwithstanding any other provision of law, legislative bodies of local agencies may impose requirements upon themselves which allow greater access to their meetings than prescribed by the minimal standards set forth in this chapter. In addition thereto, an elected legislative body of a local agency may impose ~~such those~~ requirements on ~~those~~ appointed legislative bodies of the local ~~agency of which all or a majority of the members are appointed by or under the authority of the elected legislative body.~~ agency.

SEC. 8. Section 54953.8 is added to the Government Code, to read:

54953.8. (a) The legislative body of a local agency may use teleconferencing as authorized by subdivision (b) of Section 54953 without complying with the requirements of paragraph (3) of subdivision (b) of Section 54953 in any of the circumstances described in Sections 54953.8.1 to 54953.8.7, inclusive.

(b) A legislative body that holds a teleconference meeting pursuant to this section shall, in addition to any other applicable requirements of this chapter, comply with all of the following:

(1) The legislative body shall provide at least one of the following as a means by which the public may remotely hear and visually observe the meeting, and remotely address the legislative body:

(A) A two-way audiovisual platform.

(B) A two-way telephonic service and a live webcasting of the meeting.

(2) In each instance in which notice of the time of the teleconference meeting held pursuant to this section is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option.

(3) In the event of a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(4) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time.

(5) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(6) (A) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to paragraph (5), to provide public comment until that timed public comment period has elapsed.

(B) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to paragraph (5), or otherwise be recognized for the purpose of providing public comment.

(C) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to paragraph (5), until the timed general public comment period has elapsed.

(7) Any member of the legislative body who participates in a teleconference meeting from a remote location pursuant to this section and the specific provision of law that the member relied upon to permit their participation by teleconferencing shall be listed in the minutes of the meeting.

(8) The legislative body shall have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the procedure for receiving and resolving requests for accommodation.

(9) The legislative body shall conduct meetings subject to this chapter consistent with applicable civil rights and nondiscrimination laws.

(c) A local agency shall identify and make available to legislative bodies a list of one or more meeting locations that may be available for use by the legislative bodies to conduct their meetings.

(d) (1) Nothing in this section shall prohibit a legislative body from providing the public with additional teleconference locations.

(2) Nothing in this section shall prohibit a legislative body from providing the public with additional physical locations in which the public may observe and address the legislative body by electronic means.

(e) A member of a legislative body who participates in a teleconference meeting from a remote location pursuant to this section shall publicly 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 those individuals.

(f) The teleconferencing provisions described in Section 54953 and Sections 54953.8.1 to 54953.8.7, inclusive, are cumulative. A legislative body may elect to use any teleconferencing provisions that are applicable to a meeting, regardless of whether any other teleconferencing provisions would also be applicable to that meeting.

(g) For purposes of this section, the following definitions apply:

(1) "Remote location" means a location from which a member of a legislative body participates in a meeting pursuant to paragraph (7) of subdivision (b), other than any physical meeting location designated in the notice of the meeting. Remote locations need not be accessible to the public.

(2) "Teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.

(3) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service. A two-way audiovisual platform may be structured to disable the use of video for the public participants.

(4) "Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.

(5) "Webcasting" means a streaming video broadcast online or on television, using streaming media technology to distribute a single content source to many simultaneous listeners and viewers.

SEC. 9. Section 54953.8.1 is added to the Government Code, to read:

54953.8.1. (a) A health authority may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section.

(b) Nothing in this section or Section 54953.8 shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority.

(c) For purposes of this section, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

SEC. 10. Section 54953.8.2 is added to the Government Code, to read:

54953.8.2. (a) A legislative body of a local agency may conduct a teleconference meeting pursuant to Section 54953.8 during a proclaimed state of emergency or local emergency, provided that it complies with the requirements of that section and the teleconferencing is used in either of the following circumstances:

(1) For the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) After a determination described in paragraph (1) is made that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(b) If the state of emergency or local emergency remains active, in order to continue to teleconference pursuant to this section, the legislative body shall, no later than 45 days after teleconferencing for the first time pursuant to this section, and every 45 days thereafter, make the following findings by majority vote:

(1) The legislative body has reconsidered the circumstances of the state of emergency or local emergency.

(2) The state of emergency or local emergency continues to directly impact the ability of the members to meet safely in person.

(c) This section shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(d) Notwithstanding paragraph (1) of subdivision (b) of Section 54953.8, a legislative body conducting a teleconference meeting pursuant to this section may elect to use a two-way telephonic service without a live webcasting of the meeting.

(e) For purposes of this section, the following definitions apply:

(1) "Local emergency" means a condition of extreme peril to persons or property proclaimed by the governing body of the local agency affected, in accordance with Section 8630 of the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2), as defined in Section 8680.9, or a local health emergency declared pursuant to Section 101080 of the Health and Safety Code. Local emergency, as used in this section, refers only to local emergencies in the boundaries of the territory over which the local agency exercises jurisdiction.

(2) "State of emergency" means state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2).

SEC. 11. Section 54953.8.3 is added to the Government Code, to read:

54953.8.3. (a) A legislative body of a local agency may conduct a teleconference meeting pursuant to Section 54953.8 if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda, which location shall be open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, provided that the legislative body complies with the requirements of Section 54953.8 and all of the following additional requirements:

(1) A member of the legislative body notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the given meeting.

(2) The member shall participate through both audio and visual technology.

(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 just cause 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.

(b) The minutes for the meeting shall identify the specific provision in subdivision (c) that each member relied upon to participate remotely. This subdivision shall not be construed to require the member to disclose any medical diagnosis or disability, or any personal medical information that is otherwise exempt under existing law, including, but not limited to, the Confidentiality of Medical Information Act (Chapter 1 (commencing with Section 56) of Part 2.6 of Division 1 of the Civil Code).

(c) For purposes of this section, "just cause" means any of the following:

(1) Childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. "Child," "parent," "grandparent," "grandchild," and "sibling" have the same meaning as those terms do in Section 12945.2.

(2) A contagious illness that prevents a member from attending in person.

(3) A need related to a physical or mental condition that is not subject to subdivision (c) of Section 54953.

(4) Travel while on official business of the legislative body or another state or local agency.

(5) An immunocompromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner of the member that requires the member to participate remotely.

(6) A physical or family medical emergency that prevents a member from attending in person.

(7) Military service obligations that result in a member being unable to attend in person because they are serving under official written orders for active duty, drill, annual training, or any other duty required as a member of the California National Guard or a United States Military Reserve organization that requires the member to be at least 50 miles outside the boundaries of the local agency.

(d) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

SEC. 12. Section 54953.8.4 is added to the Government Code, to read:

54953.8.4. *(a) An eligible neighborhood council may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following have occurred:*

(1) (A) The city council for a city described in paragraph (2) of subdivision (b) considers whether to adopt a resolution to authorize eligible neighborhood councils to use teleconferencing as described in this section at an open and regular meeting.

(B) If the city council adopts a resolution described in subparagraph (A), an eligible neighborhood council may elect to use teleconferencing pursuant to this section if a majority of the eligible neighborhood council votes to do so. The eligible neighborhood council shall notify the city council if it elects to use teleconferencing pursuant to this section and its justification for doing so.

(C) Upon receiving notification from an eligible neighborhood council described in subparagraph (B), the city council may adopt a resolution to prohibit the eligible neighborhood council from using teleconferencing pursuant to this section.

(2) After completing the requirements of subparagraph (A) of paragraph (1), an eligible neighborhood council that holds a meeting pursuant to this subdivision shall do all of the following:

(A) At least a quorum of the members of the eligible neighborhood council shall participate from locations within the boundaries of the city in which the eligible neighborhood council is established.

(B) At least once per year, at least a quorum of the members of the eligible neighborhood council shall participate in person from a singular physical location that is open to the public and within the boundaries of the eligible neighborhood council.

(3) If the meeting is during regular business hours of the offices of the city council member that represents the area that includes the eligible neighborhood council, the eligible neighborhood council shall provide a publicly accessible physical location from which the public may attend or comment, which shall be the offices of the city council member who represents the area where the eligible neighborhood council is located, unless the eligible neighborhood council identifies an alternative location.

(4) If the meeting is outside regular business hours, the eligible neighborhood council shall make reasonable efforts to accommodate any member of the public that requests an accommodation to participate in the meeting.

(b) For purposes of this section, the following definitions apply:

(1) "Accommodation" means providing a publicly accessible physical location for the member of the public to participate from, providing access to technology necessary to participate in the meeting, or identifying locations or resources available that could provide the member of the public with an opportunity to participate in the meeting.

(2) "Eligible neighborhood council" means a neighborhood council that is an advisory body with the purpose to promote more citizen participation in government and make government more responsive to local needs that is established pursuant to the charter of a city with a population of more than 3,000,000 people that is subject to this chapter.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

SEC. 13. Section 54953.8.5 is added to the Government Code, to read:

54953.8.5. (a) *An eligible community college student organization may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:*

(1) An eligible community college student organization may only use teleconferencing as described in Section 54953.8 after all the following have occurred:

(A) The board of trustees for a community college district considers whether to adopt a resolution to authorize eligible community college student organizations to use teleconferencing as described in this section at an open and regular meeting.

(B) If the board of trustees for a community college district adopts a resolution described in subparagraph (A), an eligible community college student organization may elect to use teleconferencing pursuant to this section if a majority of the eligible community college student organization votes to do so. The eligible community college student organization shall notify the board of trustees if it elects to use teleconferencing pursuant to this section and its justification for doing so.

(C) Upon receiving notification from an eligible community college student organization as described in subparagraph (B), the board of trustees may adopt a resolution to prohibit the eligible community college student organization from using teleconferencing pursuant to this section.

(D) (i) Except as specified in clause (ii), at least a quorum of the members of the eligible community college student organization shall participate from a singular physical location that is accessible to the public and is within the community college district in which the eligible community college student organization is established.

(ii) The requirements described in clause (i) shall not apply to the California Online Community College.

(iii) Notwithstanding the requirements of clause (i), a person may count toward the establishment of a quorum pursuant to clause (i) regardless of whether the person is participating at the in-person location of the meeting or remotely if the person meets any of the following criteria:

(I) The person is under 18 years of age.

(II) The person is incarcerated.

(III) The person is unable to disclose the location that they are participating from because of either of the following circumstances:

(ia) The person has been issued a protective court order, including, but not limited to, a domestic violence restraining order.

(ib) The person is participating in a program that has to remain confidential, including, but not limited to, an independent living program.

(IV) The person provides childcare or caregiving to a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. For purposes of this subclause, "child," "parent," "grandparent," "grandchild," and "sibling" have the same meaning as those terms are defined in Section 12945.2.

(2) An eligible community college student organization that holds a meeting by teleconference as described in Section 54953.8 shall do the following, as applicable:

(A) (i) Except as specified in subparagraph (B), if the meeting is during regular business hours of the offices of the board of trustees of the community college district, the eligible community college student organization shall provide a publicly accessible physical location from which the public may attend or comment, which shall be the offices of the board of trustees of the community college district, unless the eligible community college student organization identifies an alternative location.

(ii) Except as specified in subparagraph (B), if the meeting is outside regular business hours, the eligible community college student organization shall make reasonable efforts to accommodate any member of the public that requests an accommodation to participate in the meeting. For the purposes of this subparagraph, "accommodation" means providing a publicly accessible physical location for the member of the public to participate from, providing access to technology necessary to participate in the meeting, or identifying locations

or resources available that could provide the member of the public with an opportunity to participate in the meeting.

(B) The requirements described in subparagraph (A) shall not apply to the California Online Community College.

(b) For purposes of this section, "eligible community college student organization" means a student body association organized pursuant to Section 76060 of the Education Code, or any other student-run community college organization that is required to comply with the meeting requirements of this chapter, that is in any community college recognized within the California Community Colleges system and includes the Student Senate for California Community Colleges.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

SEC. 14. Section 54953.8.6 is added to the Government Code, to read:

54953.8.6. *(a) An eligible subsidiary body may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:*

(1) The eligible subsidiary body shall designate one physical meeting location within the boundaries of the legislative body that created the eligible subsidiary body 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 legislative body that created the eligible subsidiary body 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) (A) A member of the eligible subsidiary body shall visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, except if the member has a physical or mental condition not subject to subdivision (c) of Section 54953 that results in a need to participate off camera.

(B) The visual appearance of a member of the eligible subsidiary body on camera may cease only when the appearance would be technologically infeasible, including, but not limited to, when the member experiences a lack of reliable broadband or internet connectivity that would be remedied by joining without video.

(C) If a member of the eligible subsidiary body does not appear on camera due to challenges with internet connectivity, the member shall announce the reason for their nonappearance prior to turning off their camera.

(3) 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 pursuant to this section unless the use of teleconferencing complies with the requirements of paragraph (3) of subdivision (b) of Section 54953.

(4) (A) In order to use teleconferencing pursuant to this section, the legislative body that established the eligible subsidiary body by charter, ordinance, resolution, or other formal action shall make the following findings by majority vote before the eligible subsidiary body uses teleconferencing pursuant to this section for the first time, and every six months thereafter:

(i) The legislative body has considered the circumstances of the eligible subsidiary body.

(ii) Teleconference meetings of the eligible subsidiary body would enhance public access to meetings of the eligible subsidiary body, and the public has been made aware of the type of remote participation, including audio-visual or telephonic, that will be made available at a regularly scheduled meeting and has been provided the opportunity to comment at an in-person meeting of the legislative body authorizing the subsidiary body to meet entirely remotely.

(iii) Teleconference meetings of the eligible subsidiary body would promote the attraction, retention, and diversity of eligible subsidiary body members.

(B) (i) An eligible subsidiary body authorized to use teleconferencing pursuant to this section may request to present any recommendations it develops to the legislative body that created it.

(ii) Upon receiving a request described in clause (i), the legislative body that created the subsidiary body shall hold a discussion at a regular meeting held within 60 days after the legislative body receives the request, or if the legislative body does not have another regular meeting scheduled within 60 days after the legislative body receives the request, at the next regular meeting after the request is received.

(iii) The discussion required by clause (ii) shall not be placed on a consent calendar, but may be combined with the legislative body's subsequent consideration of the findings described in subparagraph (A) for the following 12 months.

(iv) The legislative body shall not take any action on any recommendations included in the report of a subsidiary body until the next regular meeting of the legislative body following the discussion described in clause (ii).

(C) After the legislative body makes the findings described in subparagraph (A), the eligible subsidiary body shall approve the use of teleconferencing by majority vote before using teleconference pursuant to this section.

(D) The legislative body that created the eligible subsidiary body may elect to prohibit the eligible subsidiary body from using teleconferencing pursuant to this section at any time.

(b) (1) For purposes of this section, "eligible subsidiary body" means a legislative body that meets all of the following:

(A) Is described in subdivision (b) of Section 54952.

(B) Serves exclusively in an advisory capacity.

(C) Is not authorized to take final action on legislation, regulations, contracts, licenses, permits, or any other entitlements, grants, or allocations of funds.

(D) Does not have primary subject matter jurisdiction, as defined by the charter, an ordinance, a resolution, or any formal action of the legislative body that created the subsidiary body, that focuses on elections, budgets, police oversight, privacy, removing from, or restricting access to, materials available in public libraries, or taxes or related spending proposals.

(2) An eligible subsidiary body may include members who are elected officials, members who are not elected officials, or any combination thereof.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

SEC. 15. Section 54953.8.7 is added to the Government Code, to read:

54953.8.7. (a) An eligible multijurisdictional body may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:

(1) The eligible multijurisdictional body has adopted a resolution that authorizes the eligible multijurisdictional body to use teleconferencing pursuant to this section at a regular meeting in open session.

(2) At least a quorum of the members of the eligible multijurisdictional body shall participate from one or more physical locations that are open to the public and within the boundaries of the territory over which the local agency exercises jurisdiction.

(3) A member of the eligible multijurisdictional body who receives compensation for their service on the eligible multijurisdictional body shall participate from a physical location that is open to the public. For purposes of this paragraph, "compensation" does not include reimbursement for actual and necessary expenses.

(4) A member of the eligible multijurisdictional body may participate from a remote location provided that:

(A) The eligible multijurisdictional body identifies each member of the eligible multijurisdictional body who plans to participate remotely in the agenda.

(B) The member shall participate through both audio and visual technology.

(5) A member of the eligible multijurisdictional body shall not participate in a meeting remotely pursuant to this section, unless the location from which the member participates is more than 20 miles each way from any physical location of the meeting described in paragraph (2).

(6) The provisions of this section 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:

(A) Two meetings per year, if the legislative body regularly meets once per month or less.

(B) Five meetings per year, if the legislative body regularly meets twice per month.

(C) Seven meetings per year, if the legislative body regularly meets three or more times per month.

(D) 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.

(b) For the purposes of this section, both of the following definitions apply:

(1) "Eligible multijurisdictional body" means a multijurisdictional board, commission, or advisory body of a multijurisdictional, cross-county agency, the membership of which board, commission, or advisory body is appointed, and the board, commission, or advisory body is otherwise subject to this chapter.

(2) "Multijurisdictional" means either of the following:

(A) A legislative body that includes representatives from more than one county, city, city and county, or special district.

(B) A legislative body of a joint powers entity formed pursuant to an agreement entered into in accordance with Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

SEC. 16. Section 54954.2 of the Government Code, as amended by Section 92 of Chapter 131 of the Statutes of 2023, is amended to read:

54954.2. *(a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda that meets all of the following requirements:*

(A) The agenda shall contain a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words.

(B) The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's internet website, if the local agency has one.

(C) (i) If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

~~*(a) (ii) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's internet website, if the local agency has one. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.*~~

(2) For a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an internet website, the following provisions shall apply:

(A) An online posting of an agenda shall be posted on the primary internet website home page of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda. The direct link to the agenda shall not be in a contextual menu; however, a link in addition to the direct link to the agenda may be accessible through a contextual menu.

(B) An online posting of an agenda, including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all of the following requirements:

(i) Retrievable, downloadable, indexable, and electronically searchable by commonly used internet search applications.

(ii) Platform independent and machine readable.

(iii) Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

(C) A legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an internet website and an integrated agenda management platform shall not be required to comply with subparagraph (A) if all of the following are met:

(i) A direct link to the integrated agenda management platform shall be posted on the primary internet website home page of a city, county, city and county, special district, school district, or political subdivision established by the state. The direct link to the integrated agenda management platform shall not be in a contextual menu. When a person clicks on the direct link to the integrated agenda management platform, the direct link shall take the person directly to an internet website with the agendas of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state.

(ii) The integrated agenda management platform may contain the prior agendas of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state for all meetings occurring on or after January 1, 2019.

(iii) The current agenda of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state shall be the first agenda available at the top of the integrated agenda management platform.

(iv) All agendas posted in the integrated agenda management platform shall comply with the requirements in clauses (i), (ii), and (iii) of subparagraph (B).

(D) The provisions of this paragraph shall not apply to a political subdivision of a local agency that was established by the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state.

~~(D)~~ (E) For ~~the~~ purposes of this paragraph, both of the following definitions ~~shall~~ apply:

~~(i)~~ (1) "Integrated agenda management platform" means an internet website of a city, county, city and county, special district, school district, or political subdivision established by the state dedicated to providing the entirety of the agenda information for the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state to the public.

~~(ii)~~ (2) "Legislative body" ~~has the same meaning as that term is used in~~ *means a legislative body that meets the definition of* subdivision (a) of Section 54952.

~~(E) The provisions of this paragraph shall not apply to a political subdivision of a local agency that was established by the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state.~~

(3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on their own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

(c) This section is necessary to implement and reasonably within the scope of paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

(d) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency's internet website, if the local agency has one, shall only apply to a legislative body that meets either of the following standards:

(1) A legislative body as that term is defined by subdivision (a) of Section 54952.

(2) A legislative body as that term is defined by subdivision (b) of Section 54952, if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are also members of a legislative body as that term is defined by subdivision (a) of Section 54952.

~~(e) This section shall become operative January 1, 2026.~~

SEC. 17. Section 54954.3 of the Government Code is amended to read:

54954.3. (a) *(1)* Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body, provided that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of Section 54954.2. ~~However, the agenda need not provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee, composed exclusively of members of the legislative body, at a public meeting wherein all interested members of the public were afforded the opportunity to address the committee on the item, before or during the committee's consideration of the item, unless the item has been substantially changed since the committee heard the item, as determined by the legislative body. Every notice for a special meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of that item.~~

(2) (A) Notwithstanding paragraph (1), the agenda need not provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee, composed exclusively of members of the legislative body, at a public meeting wherein all interested members of the public were afforded the opportunity to address the committee on the item, before or during the committee's consideration of the item.

(B) Subparagraph (A) shall not apply if any of the following conditions are met:

(i) The item has been substantially changed since the committee heard the item, as determined by the legislative body.

(ii) When considering the item, a quorum of the committee members did not participate from a singular physical location, that was clearly identified on the agenda, open to the public, and situated within the boundaries of the territory over which the local agency exercises jurisdiction.

(iii) The committee has primary subject matter jurisdiction, as defined by the charter, an ordinance, a resolution, or any formal action of the legislative body that created the subsidiary body, that focuses on elections, budgets, police oversight, privacy, removing from, or restricting access to, materials available in public libraries, or taxes or related spending proposals. This clause shall not apply to an item if the local agency has adopted a law applicable to the meeting of the committee at which the item that was considered prohibits the committee from placing a limit on the total amount of time for public comment on the item.

(3) Every notice for a special meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of that item.

(b) (1) The legislative body of a local agency may adopt reasonable regulations to ensure that the intent of subdivision (a) is carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.

(2) Notwithstanding paragraph (1), when the legislative body of a local agency limits time for public comment, the legislative body of a local agency shall provide at least twice the allotted time to a member of the public who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the legislative body of a local agency.

(3) Paragraph (2) shall not apply if the legislative body of a local agency utilizes simultaneous translation equipment in a manner that allows the legislative body of a local agency to hear the translated public testimony simultaneously.

(c) The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law.

SEC. 18. Section 54956 of the Government Code is amended to read:

54956. (a) (1) A special meeting may be called at any time by the presiding officer of the legislative body of a local agency, or by a majority of the members of the legislative body, by delivering written notice to each member of the legislative body and to each local newspaper of general circulation and radio or television station requesting notice in writing and posting a notice on the local agency's ~~Internet Web site,~~ *internet website*, if the local agency has one. The notice shall be delivered personally or by any other means and shall be received at least 24 hours before the time of the meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered at these meetings by the legislative body. The written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the clerk or secretary of the legislative body a written waiver of notice. The waiver may be given by ~~telegram,~~ *telephone or electronic mail*. The written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes.

(2) The call and notice shall be posted at least 24 hours prior to the special meeting in a location that is freely accessible to members of the public.

(b) Notwithstanding any other law, a legislative body shall not call a special meeting regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits, of *the legislative body or of* a local agency executive, as defined in subdivision (d) of Section 3511.1. However, this subdivision does not apply to a local agency calling a special meeting to discuss the local agency's budget.

~~(c) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency's Internet Web site, if the local agency has one, shall only apply to a legislative body that meets either of the following standards:~~

~~(1) A legislative body as that term is defined by subdivision (a) of Section 54952;~~

~~(2) A legislative body as that term is defined by subdivision (b) of Section 54952, if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are also members of a legislative body as that term is defined by subdivision (a) of Section 54952.~~

SEC. 19. Section 54956.5 of the Government Code is amended to read:

54956.5. (a) For purposes of this section, "emergency situation" means both of the following:

(1) An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health, safety, or both, as determined by a majority of the members of the legislative body.

(2) A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring a legislative body to provide one-hour notice before holding an emergency meeting under this section may endanger the public health, safety, or both, as determined by a majority of the members of the legislative body.

(b) (1) Subject to paragraph (2), in the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, a legislative body may hold

an emergency meeting without complying with either the 24-hour notice requirement or the 24-hour posting requirement of Section 54956 or both of the notice and posting requirements.

(2) Each local newspaper of general circulation and radio or television station that has requested notice of special meetings pursuant to Section 54956 shall be notified by the presiding officer of the legislative body, or designee thereof, one hour prior to the emergency meeting, or, in the case of a dire emergency, at or near the time that the presiding officer or designee notifies the members of the legislative body of the emergency meeting.

(A) Except as provided in subparagraph (B), the notice required by this paragraph shall be given by telephone and all telephone numbers provided in the most recent request of a newspaper or station for notification of special meetings shall be exhausted. In the event that telephone services are not ~~functioning and the legislative body is not a school board, the~~ *functioning, the* notice requirements of this paragraph shall be deemed waived, and the legislative body, or designee of the legislative body, shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.

(B) For an emergency meeting held ~~by a school board~~ pursuant to this section, the presiding officer of the ~~school board, legislative body,~~ *legislative body,* or designee thereof, may send the notifications required by this paragraph by email instead of by telephone, as provided in subparagraph (A), to all local newspapers of general circulation, and radio or television stations, that have requested those notifications by email, and all email addresses provided by representatives of those newspapers or stations shall be exhausted. In the event that internet services and telephone services are not functioning, the notice requirements of this paragraph shall be deemed waived, and the ~~school board, legislative body,~~ *legislative body,* or designee of the ~~school board, legislative body,~~ shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.

(c) During a meeting held pursuant to this section, the legislative body may meet in closed session pursuant to Section 54957 if agreed to by a two-thirds vote of the members of the legislative body present, or, if less than two-thirds of the members are present, by a unanimous vote of the members present.

(d) All special meeting requirements, as prescribed in Section 54956 shall be applicable to a meeting called pursuant to this section, with the exception of the 24-hour notice requirement.

(e) The minutes of a meeting called pursuant to this section, a list of persons who the presiding officer of the legislative body, or designee of the legislative body, notified or attempted to notify, a copy of the rollcall vote, and any actions taken at the meeting shall be posted for a minimum of 10 days in a public place as soon after the meeting as possible.

SEC. 20. Section 54957.6 of the Government Code is amended to read:

54957.6. (a) Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of ~~representation:~~ *representation, subject to all of the following conditions:*

~~However, (1) -prior-~~ *Prior* to the closed session, the legislative body of the local agency shall hold an open and public session in which it identifies its designated representatives.

~~Closed (2) -sessions of a legislative body of a local agency, as permitted in this section,-~~ *The closed session* shall be for the purpose of reviewing its position and instructing the local agency's designated representatives.

~~Closed (3) -sessions, as permitted in this section,-~~ *The closed session* may take place prior to and during consultations and discussions with representatives of employee organizations and unrepresented employees.

~~Closed (4) -sessions-~~ *Any closed session* with the local agency's designated representative regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits may include discussion of an agency's available funds and funding priorities, but only insofar as these discussions relate to providing instructions to the local agency's designated representative.

~~Closed (5) -sessions held pursuant to this section-~~ *The closed session* shall not include final action on the proposed compensation of one or more unrepresented employees.

(6) For the purposes enumerated in this section, a legislative body of a local agency may also meet with a state conciliator who has intervened in the proceedings.

(b) For the purposes of this section, the term "employee" shall include an officer or an independent contractor who functions as an officer or an employee, but shall not include any elected official, member of a legislative body, or other independent contractors.

SEC. 21. Section 54957.9 of the Government Code is amended to read:

54957.9. In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of ~~such the~~ meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the legislative body conducting the meeting may order the meeting room cleared and continue in session. 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 this section. Nothing in this section shall prohibit the legislative body from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

SEC. 22. Section 54957.95 of the Government Code is amended to read:

54957.95. (a) (1) In addition to authority exercised pursuant to Sections 54954.3 and 54957.9, the presiding member of the legislative body conducting a meeting or their designee may remove, or cause the removal of, an individual for disrupting the *meeting, including any teleconferenced* meeting.

(2) Prior to removing an individual, the presiding member or their designee shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding member or their designee may then remove the individual if they do not promptly cease their disruptive behavior. This paragraph does not apply to any behavior described in subparagraph (B) of paragraph (1) of subdivision (b).

(b) As used in this section:

(1) "Disrupting" means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, one of the following:

(A) A failure to comply with reasonable and lawful regulations adopted by a legislative body pursuant to Section 54954.3 or any other law.

(B) Engaging in behavior that constitutes use of force or a true threat of force.

(2) "True threat of force" means a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat.

SEC. 23. *Section 54957.96 is added to the Government Code, to read:*

54957.96. *(a) The existing authority of a legislative body or its presiding officer to remove or limit participation by persons who engage in behavior that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting, including existing limitations upon that authority, shall apply to members of the public participating in a meeting via a two-way telephonic service or a two-way audiovisual platform.*

(b) For purposes of this section, the following definitions apply:

(1) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic service. A two-way audiovisual platform may be structured to disable the use of video for the public participants.

(2) "Two-way telephonic service" means a telephone service that does not require internet access and allows participants to dial a telephone number to listen and verbally participate.

SEC. 24. *The Legislature finds and declares that Section 4 of this act, which amends Section 54953 of, Section 5 of this act, which adds Section 54953.4 to, Sections 8 to 15, inclusive, of this act, which add Sections 54953.8 to 54953.8.7, respectively, to, Section 19 of this act, which amends Section 54956.5 of, Section 22 of this act, which amends Section 54957.95 of, and Section 23 of this act, which adds Section 54957.96 to, the Government Code, impose a limitation on the public's right of access to the meetings of public bodies or the writings of public*

officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

(a) This act is necessary to provide opportunities for public participation in meetings of specified public agencies and to promote the recruitment and retention of members of those agencies.

(b) This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in meetings.

(c) This act is necessary to modernize the Ralph M. Brown Act to reflect recent technological changes that can promote greater public access to local officials.

(d) The exclusively virtual nature of the California Online Community College presents unique barriers to the requirements for an in-person quorum, a physical location for public participation, and certain accommodations. Participating students of the online community college come from all across the state and necessitating travel for these requirements would pose a significant and exclusionary barrier.

SEC. 25. *The Legislature finds and declares that Sections 1 and 2 of this act, which amend and repeal Section 54952.2, respectively, of, Section 3 of this act, which amends Section 54952.7 of, Section 4 of this act, which amends Section 54953 of, Section 5 of this act, which adds Section 54953.4 to, Section 6 of this act, which amends Section 54953.5 of, Section 7 of this act, which amends Section 54953.7 of, Sections 8 to 15, inclusive, of this act, which add Sections 54953.8 to 54953.8.7, respectively, to, Section 16 of this act, which amends Section 54954.2 of, Section 17 of this act, which amends Section 54954.3 of, Section 18 of this act, which amends Section 54956 of, Section 19 of this act, which amends Section 54956.5 of, Section 20 of this act, which amends Section 54957.6 of, Section 21 of this act, which amends Section 54957.9 of, Section 22 of this act, which amends Section 54957.95 of, and Section 23 of this act, which adds Section 54957.96 to, the Government Code, further, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:*

(a) This act is necessary to provide opportunities for public participation in meetings of specified public agencies and to promote the recruitment and retention of members of those agencies.

(b) This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in meetings.

(c) This act is necessary to modernize the Ralph M. Brown Act to reflect recent technological changes that can promote greater public access to local officials.

(d) The exclusively virtual nature of the California Online Community College presents unique barriers to the requirements for an in-person quorum, a physical location for public participation, and certain accommodations. Participating students of the online community college come from all across the state and necessitating travel for these requirements would pose a significant and exclusionary barrier.

SEC. 26. *The Legislature finds and declares that adequate public access to meetings is a matter of statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this bill would apply to all cities, including charter cities.*

SEC. 27. *No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district under this act would result from a legislative mandate that is within the scope of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution.*



AGENDA ITEM COVER SHEET

MEETING DATE: October 15, 2025 Governance Committee	ITEM: Physician and Professional Service Agreements, ABD-21
DEPARTMENT: Board Policy	TYPE OF AGENDA ITEM: ☒ Action ☐ Consent ☐ Discussion
RESPONSIBLE PARTY: Sarah Jackson, Executive Assistant / Clerk of the Board	SUPPORTIVE DOCUMENT ATTACHED ☐ Agreement ☐ Presentation ☐ Resolution ☒ Other Policies
BUDGET: ALLOCATED IN THE BUDGET ☐ Yes ☐ No ☒ N/A IS A BUDGET TRANSFER REQUIRED ☐ Yes ☐ No ☒ N/A	PERSONNEL ADDITIONAL PERSONNEL REQUIRED ☐ Yes ☐ No ☒ N/A
BACKGROUND: Administrative and departmental operating policies must be reviewed <i>at least once every three years</i> , more often as necessary. ABD - Board P&P's describes the role, organization, integration and responsibilities of the Governing Bodies within the organization including, Board Members and Administration, guiding consistent corporate behavior and decision making in alignment with the Mission and Values of TFHS. AGOV - Governance P&P's describe the services provided and basic principles that direct the provision of care at all levels within the organization.	
SUMMARY/OBJECTIVES: ABD-21 provides guidelines for the CEO to enter into Professional Services Agreements on behalf of Tahoe Forest Hospital District.	
SUGGESTED DISCUSSION POINTS: Apart from a very limited number of professional services agreements, the current Medical Directors and Medical Staff Officer agreements all fall below the current policy \$400k limit. At last review by legal, there were four (4) physician providing clinical services that exceeded the \$400k limit provided for in this policy. The Board may consider revising or placing limits for other types of contracts, (ie. \$400k for contractors, or \$1m for construction). Per legal, it is not a legal requirement, but recommended for discussion.	
SUGGESTED MOTION/ALTERNATIVES: Move to recommend approval of ABD-24 as presented and send to October 23, 2025, TFHD Board of Directors Consent Agenda.	

Alternative Motion – recommend changes to ABD-21 (if changes are recommended in discussion).

LIST OF ATTACHMENTS:

- **Physician and Professional Services Agreements, ABD-21**



TAHOE
FOREST
HEALTH
SYSTEM

Origination 01/1990
Date
Last 12/2022
Approved
Last Revised 12/2022
Next Review 12/2025

Department Board - ABD
Applicabilities System

Physician and Professional Service Agreements, ABD-21

RISK:

In the absence of clear guidelines for entering into Professional Service Agreements with physicians and other health professionals, Tahoe Forest Hospital District ("TFHD" or "District") could be exposed to significant legal and/or financial liability.

SCOPE:

This policy provides Tahoe Forest Hospital District's Chief Executive Officer ("CEO") a framework for professional services contracting. to ensure the professional service provider meets the needs of Tahoe Forest Hospital District ("TFHD" or "District") and the communities that it serves.

This policy provides no guidance or authority for employed physicians or other providers.

POLICY:

- A. Written professional service agreements (which do not include employment offers) will be prepared for all health professionals who qualify as independent contractors under IRS guidelines and provide diagnostic or therapeutic services to TFHD's patients or provide certain medico-administrative duties within a hospital department or service.
- B. The following health professionals may be covered by this policy:
 1. Anesthesiologists
 2. Medical Directors
 3. Medical Staff officers
 4. Physicians providing services in the District's Multi-Specialty Clinics, Cancer Center or other professional practice settings operated by TFHD (collectively, "TFHD Practice Settings").

5. Physicians serving in medical-administrative roles or on District committees
6. Nuclear Medicine specialists
7. Emergency Services physicians
8. Occupational therapists
9. Pathologists
10. Physical therapists
11. Radiologists
12. Speech pathologists
13. Emergency and urgent care providers
14. Physical Therapists
15. Hospitalists
16. Other contracted health or medical service providers

C. Any physician who is employed by the District may not simultaneously work under a professional services agreement.

PROCEDURES:

- A. All professional service agreements will be developed between the CEO, or the CEO's designee, and the health professional.
 1. Health professionals are not permitted to provide professional services until an agreement has been approved by the District prior to the agreement effective date. All PSAs and offers of employment will be reviewed by in-house legal counsel and compliance prior to offering to a physician. Signatures will be obtained prior to the agreement effective date or in accordance with current Stark Law. Agreements containing amendments to the terms and conditions of the agreement must also be executed prior to the effective date and prior to the provision of professional services under the amended agreement.
 2. New and renewal agreements shall utilize the template agreement for the type of service required from the contracting professional. (See Exhibit A, attached, for a list of available model agreements.)
 3. All agreements shall be reviewed by the Compliance Department. Agreements not utilizing the template agreement shall also be reviewed by legal counsel.
 - a. Agreements committing \$400,000.00 or more in any twelve-month period:
 - i. Once agreement is reached between the CEO and health professional, CEO will present the provider-signed professional services agreement to the Board of Directors with the Contract Routing Form (or equivalent data summary report) with principal terms and conditions for their consideration. Principal terms and conditions include, but are not limited to, justification, term, compensation, scope of duties, total cost of contract, and other pertinent information, as applicable.

- ii. Upon review and consideration, the Board of Directors may request specific changes be made to the proposed terms and conditions or direct a designated Board committee to review and make a recommendation to the Board of Directors.
 - iii. Board approval of a professional services agreement constitutes direction to CEO to execute the professional service agreement.
- b. Agreements committing less than \$400,000 in any twelve-month period may be authorized by the CEO without Board approval.
- 4. Professional service agreements due for renewal may be held over for up to twelve months with no change in terms at the discretion of the CEO and in accordance with the Stark Law and applicable regulations. Note: Stark Law regulations currently permit unlimited holdover of physician professional service agreements when the contract stays within the fair market value.
- 5. Urgent Services: At the discretion of the CEO, a professional service agreement required for urgent services may be executed if a quorum for a Special Meeting of the Board of Directors cannot be assembled.

B. Compensation under Professional Service Agreements (PSA) With Physicians Only

- 1. New and renewal agreement will specify the financial arrangements related to the provision of physician professional services.
 - a. In no case shall compensation to physicians take into account the volume or value of anticipated or actual referrals physicians make to TFHD.
 - b. Management shall strive to create financial terms that are aligned with the following organizational goals, recognizing that simultaneous achievement of all goals may not be possible in all cases; however the first of these goals (paying within fair market value) cannot be compromised in any circumstance.
 - i. Pay within constraints of fair market value
 - ii. Maintain internal equity within and between specialties
 - iii. Provide sufficient compensation to recruit and retain physicians
 - iv. Encourage quality and productivity
 - v. Be clear and understandable to all parties
- 2. The methodologies in the following section may be utilized to determine compensation with physicians.
 - a. Hourly rates or "per shift" rates with hours of coverage and response time specified.
 - i. Physicians shall be required to document and attest to the date, hours worked or shifts covered.
 - ii. In addition, a description of work completed or meetings attended will be provided for all administrative duties.

- b. Rate per unit of production.
 - i. The Work Relative Value Unit (WRVU) is the preferred measure of physician productivity and should be used as the unit of production whenever feasible.
 - ii. An alternate measure of productivity such as visits may be used as deemed necessary by management.
- c. Fixed Stipend.
 - i. The scope of work performed in exchange for the fixed stipend shall be clearly defined. The definition may include an agreed number of days of work and/or hours of clinical availability per period of time
 - ii. A production-based bonus and/or value-based incentive may be offered in addition to the fixed stipend, to align with organizational objectives.
- d. Payment per service. Payment at a specified rate per service is a permitted method for limited scope agreements in which the physician is providing clearly delineated clinical services. Examples include EKG interpretations, audiology reviews, and other services that are billed on a global basis by the hospital.
- e. Specialty call activation fee. In specialties where a regular on-call panel is either infeasible due to the number of physicians on the medical staff within that specialty or the low incidence of emergency need for that specialty, a specialty activation fee may be offered in the event that physician is called in to respond to an emergency.
- f. Reimbursed expenses
 - i. A contracted physician's direct expenses associated with the performance of duties under the professional services agreement may be reimbursed. These may include, but are not limited to:, malpractice insurance expense, IRS-allowable travel expenses, temporary lodging, medical staff application fees / annual dues, medical licenses, and continuing medical education.
- g. Fair Market Value. In all cases, physician's total compensation must be within fair market value and must be determined to be commercially reasonable.

C. Multiple Agreements

1. Nothing in this policy shall prohibit TFHD from entering into multiple agreements with health professionals, provided the designated hours and types of service are clearly segregated.
 - a. Physicians whose professional duties under a PSA are during regular Monday through Friday daytime hours may have a separate agreement for

on-call coverage during evenings, weekends, and scheduled days off and/or for administrative duties performed during lunch or after regular clinic hours.

- b. Physicians working in a TFHD Practice Setting who provide hospitalist, on-call, or administrative services during normal scheduled clinic time shall receive WRVU credit in lieu of cash payment.
- c. A physician may perform administrative duties while on call, as long as clinical duties are not needed. If a physician is needed for clinical duties, they may not bill administrative time when performing clinical duties.
- d. Fair market valuations shall take into account the existence of multiple agreements with one contracting physician.

D. Physician Qualifications

1. Professional service agreements with physicians shall require:

- a. A valid and unrestricted license to practice medicine in the state issued by the applicable state Medical Board.
- b. Physician must achieve Board certification when eligible and/or maintain Board certification.
- c. The physician is not suspended or excluded from participating in any federal health program.
- d. All appropriate certifications, registrations and approvals from the Federal Drug Enforcement Administration and any other applicable federal or state agency necessary to prescribe and dispense drugs under applicable federal and state laws and regulations, in each case without restriction.
- e. Prompt disclosure of the commencement, resolution or pendency of any action, proceeding, investigation or disciplinary proceeding against or involving physician, including, without limitation, any medical staff investigation or disciplinary action.
- f. Prompt written notice of any threat, claim, or legal proceeding against TFHD that physician becomes aware of, and cooperation with TFHD in the defense of any such threat, claim, or proceeding and in enforcing the rights (including rights of contribution or indemnity) that TFHD may have against other parties or through its insurance policies.
- g. No discrimination against a patient based on race, color, creed, religion, national origin, gender, sexual orientation, disability (including, without limitation, the condition(s) for which the patient seeks professional services from physician), marital status, age, ability to pay or payment source, or any other unlawful basis.

2. Physician Qualifications In Coordination With Medical Staff Bylaws:

- a. Professional service agreements with physicians shall require their membership on the respective hospital's Medical Staff with appropriate privileges pertinent to the duties and responsibilities described by the professional service agreement.

- b. Termination of the agreement will cause the physician to lose the contractual "right" to provide the services which are described in the agreement. However, this would not mean that the physician would lose Medical Staff membership and privileges; he/she would simply lose the right to gain access to the service or department which is the subject of the exclusive agreement.

3. Contract Termination Clause

- a. In all cases, professional service agreements shall provide for a termination clause which allows for termination by either party without cause upon prior written notice.
- b. The following language will be utilized:
 - i. "For cause" termination of a physician contract at any time during the term;
 - ii. "No cause" termination during the initial or subsequent term. In the event a "no cause" termination occurs during the first year of the agreement, the parties may not enter into a new agreement for substantially the same services until after the expiration of the initial one-year term of the agreement.
 - iii. The time-frame for prior written notice may range from 60–180 days. Further, termination of the agreement does not afford the physician the right to request a medical staff hearing or any other review under the Medical Staff By-Laws or rules and regulations, based on termination of the agreement.

E. Provisions For Non-Physician Health Professional Service Agreements

- 1. In all cases, the contract will specify the financial arrangements related to the provision of professional services. It is desirable that remuneration be based upon a set professional fee schedule rather than a percentage of gross or net patient charges. However, it is recognized that a wide variety of other mechanisms may be utilized and such other mechanisms are left to the discretion of the CEO and Board of Directors.
- 2. Compensation for health professional service agreements shall not exceed fair market value of the services.
- 3. Professional Fee Schedule
 - a. When reimbursement is based upon professional fee schedules, the fee schedule will be made a part of the agreement with the health professional. When provided for by agreement, professional fee schedule revisions will be considered once annually in a time-frame that coincides with the District's operating budget.
 - b. Requests for revisions should be submitted to the CEO by April of each year for implementation by July. The request should provide sufficient detail to fully describe the professional services, relevant code numbers and professional fees requested. The CEO determines whether the

proposed changes are acceptable.

4. Health Professional Qualifications in Coordination with Medical Staff By-Laws:

- a. Professional service agreements may require certain health professionals to be members of the District's allied health professional staff with appropriate privileges pertinent to the duties and responsibilities described by the professional service agreement.
- b. Should a health services agreement be cancelled involving an allied health professional, termination of the agreement will cause the health professional to lose the contractual "right" to provide the services which are described in the agreement. However, this would not mean that the health professional would lose allied health professional appointment or related privileges.

5. Contract Termination Clause

- a. In all cases, professional service agreements shall provide for a termination clause which allows for termination by either party without cause upon written notice.
- b. The time frame for prior written notice may range from 60–180 days. When the health professional is required to be an allied health professional, termination of the agreement will not afford the allied health professional the right to request a due process hearing under any Medical Staff bylaw, rule, or regulation for allied health professionals, based on termination of the agreement.
- c. In all cases, professional service agreements will provide for termination "for cause" at any time during the contract term.

F. Physician and Health Professional Service Agreement Contract and Service Review

1. At a minimum of every five years, the CEO or CEO's designee will conduct a service review of the contract service provided by the physician, physician group and/or other professional service.

G. General Contract Inclusion Terms: Physician and Health Professional Service Agreements

1. Professional Service Duties and Responsibilities: Each agreement will include a detailed and specific delineation of the duties and responsibilities to be performed by the health professional as well as the District. For example, extensive detail will be provided regarding:
 - a. Diagnostic and therapeutic services to be provided
 - b. Medico-administrative services to be provided
 - c. Coverage obligations to be assumed
 - d. The rights and obligations of the District and the health professional with regard to providing space, equipment, supplies, personnel and technicians.
2. Standards of Practice: Each agreement shall specify that the health professional will provide the service in accordance with the Hospital Bylaws; Medical Staff Bylaws,

Rules and Regulations, and if applicable, standards established by the Executive Committee of the Medical Staff;

3. Medicare and Medicaid Enrollment: Each agreement shall specify that the health professional is duly enrolled in the federal Medicare program and the applicable State Medicaid program (unless excepted by the District) and eligible to seek reimbursement under such programs for covered services rendered by the provider to beneficiaries of such programs. Every agreement must contain a provision in which the health professional agrees to notify TFHD in the event participation terminates.
4. Quality Assessment: Professional service agreements shall require the health professional to participate in the Health System Quality Improvement Program to ensure that the quality, safety and appropriateness of healthcare services are monitored and evaluated and that appropriate actions based on findings are taken to promote quality patient care. Furthermore, each agreement shall specify a process designed to assure that all individuals who provide patient care services under service agreements, but who are not subject to the Medical Staff privilege delineation process, are competent to provide such services. Whenever possible, information from customer satisfaction surveys shall be incorporated into the Quality Improvement Program for the service. Agreements which provide for Directorship responsibilities over a department or service shall require the health professional "Director" to be responsible for implementing a monitoring and evaluation process designed to improve patient care outcomes and which is integrated with the Health System Quality Improvement Program.
5. Assignability: It is desirable that all professional service agreements be non-assignable unless important to the successful negotiation of a contract where higher priority objectives may be achieved. Where assignability becomes necessary, assignability shall be allowed only with the condition that prior written consent of the District be obtained.
6. Contract Term: Professional service agreements shall specify an effective date that is later than all requirements, including credentialing, being met. In considering the term of the agreement, the termination date of related agreements should be considered by the CEO so as to minimize the likelihood of multiple agreements coming due on the same date or year. The length of the term shall be negotiable. Professional service contracts will typically range from one to four years in duration.
7. Professional Liability: In all cases, the health professional will be responsible for providing adequate professional liability insurance coverage at the health professional's expense. Limits of coverage for physicians will be a minimum of \$1,000,000 per occurrence, \$3,000,000 aggregate. For non-physicians, the minimum limits of coverage may vary depending on the standard established for that health profession in consultation with the District's risk manager. The agreement shall also specify that the contracting health professional will, in turn, either require or arrange for professional liability insurance coverage for all sub-contracting health professionals. Furthermore, the professional liability insurance policy must be obtained from a professional liability insurer which is authorized to transact the business of insurance in the State of California (or Nevada in the case of

professional services provided at the District's Nevada-based facilities). Also, the professional services agreement must require that the selected insurer will be responsible for notifying the District of any cancellation or reduction in coverage within thirty days of such action.

8. Regulatory Compliance: The agreement should include provisions in which both the District and the health professional commit to full compliance with all federal, state, and local laws. The contracting party should agree to keep confidential any financial, operating, proprietary, or business information relating to the District and to keep confidential, and to take the usual precautions to prevent the unauthorized use and disclosure of any and all Protected Health Information. The agreement should include provisions for amendment to the agreement in furtherance of maintaining compliance in the event of the adoption of subsequent legislation and/or regulations.
9. Recitals: Exclusive professional service agreements should include a carefully developed description of the rationales for exclusivity in a particular clinical service or department. Furthermore, if the agreement does assign exclusive responsibility for a particular service, it should state so expressly not leaving this to inference or interpretation.
10. Professional Relationships: The agreement should specify that the health professional is an independent contractor and is not an employee of the District.
11. Government Audit: The agreement should include the standard provision recognizing that the agreement and certain other materials will be subject to audit and inspection by certain federal authorities with regard to payments made for Medicare services.
12. Standard Contractual Language: The agreement should include certain standard provisions to the effect that the provisions of the contract are severable and, therefore, the ruling that any one of them is void does not invalidate the entire agreement, and that the waiver of breach of one provision does not constitute a continuing waiver, and that the written agreement constitutes the entire contract between the parties.
13. Managed Care: The physician or health professional agrees to participate as a preferred provider with all of the managed healthcare plans (PPOs and HMOs) that the District has agreements with including agreements with insurance companies, health maintenance organizations and direct contracting with self-funded employers. Any deviation of this policy must be approved by the CEO and the Board of Directors.

All Revision Dates

12/2022, 12/2019, 07/2017, 09/2016, 07/2015, 02/2014, 01/2014, 01/2012, 01/2010, 05/2000

Approval Signatures

Step Description	Approver	Date
	Harry Weis: CEO	12/2022
	Martina Rochefort: Clerk of the Board	12/2022

COPY



AGENDA ITEM COVER SHEET

MEETING DATE: October 15, 2025 Governance Committee	ITEM: TFHD Professional Immunization Policy, ABD-24
DEPARTMENT: Board Policy	TYPE OF AGENDA ITEM: ☒ Action ☐ Consent ☐ Discussion
RESPONSIBLE PARTY: Sarah Jackson, Executive Assistant / Clerk of the Board	SUPPORTIVE DOCUMENT ATTACHED ☐ Agreement ☐ Presentation ☐ Resolution ☒ Other Policies
BUDGET: ALLOCATED IN THE BUDGET ☐ Yes ☐ No ☒ N/A IS A BUDGET TRANSFER REQUIRED ☐ Yes ☐ No ☒ N/A	PERSONNEL ADDITIONAL PERSONNEL REQUIRED ☐ Yes ☐ No ☒ N/A
BACKGROUND: Administrative and departmental operating policies must be reviewed <i>at least once every three years</i> , more often as necessary. ABD - Board P&P's describes the role, organization, integration and responsibilities of the Governing Bodies within the organization including, Board Members and Administration, guiding consistent corporate behavior and decision making in alignment with the Mission and Values of TFHS. AGOV - Governance P&P's describe the services provided and basic principles that direct the provision of care at all levels within the organization.	
SUMMARY/OBJECTIVES: ABD-24 describes the District's position and guidelines on providing no-cost immunizations to various Professional and Courtesy staff members.	
SUGGESTED DISCUSSION POINTS: At the recommendation of legal there are minor edits to sentence structure and under paragraph M, deletion of Annual Work Plan. Additionally, as this is Board Policy, Health System has been updated to Hospital District. Legal, Quality, Compliance, and Chief Medical Officer have reviewed and recommend no other updates.	
SUGGESTED MOTION/ALTERNATIVES: Move to recommend approval of ABD-24 with minor edits and send to October 23, 2025, TFHD Board of Directors Consent Agenda.	

Alternative Motion – recommend changes to ABD-24 (if changes are recommended in discussion).

LIST OF ATTACHMENTS:

- TFHD Professional Immunization Policy, ABD-24 (redline)



Origination Date 09/2016
 Last Approved N/A
 Last Revised 10/2025
 Next Review 3 years after approval

Department Board - ABD
 Applicabilities System

TFHD Professional Courtesy Immunization Policy, ABD-24

RISK:

Tahoe Forest ~~Health System~~Hospital District has the right to provide no-cost immunization to credentialed, non-employed Physicians, and Allied Health Professional Staff, as permitted by Stark regulations, or we risk staff not obtaining routine screening and immunization, which may cause patient, or employee harm, and violate regulatory standards.

POLICY:

This policy is to establish guidelines for the extension of professional courtesy discounts to Physicians and Allied Health Professionals Staff for immunizations.

- A. Tahoe Forest ~~Health System~~Hospital District (~~TFHS~~TFHD) will offer no-cost immunization to credentialed, non-employed Physicians and Allied Health Staff, as permitted by Stark regulations.
- B. ~~TFHS~~TFHD will offer discounts on bills for immunization to credentialed Physicians and Allied Health Staff, who are not employees of an Affiliate or TFHS, only as permitted by this policy.
- C. Any immunization discounts offered or provided pursuant to this policy comply with applicable laws and regulations, including the federal Anti-Kickback law, and the Stark law.
- D. Under no circumstances will any discount involve ~~TFHS~~TFHD paying remuneration to a physician or any other individual or entity, directly or indirectly, with the intent to induce the physician or other individual or entity to refer patients to, or otherwise generate business for ~~TFHS~~TFHD.

Definitions:

- A. "**Remuneration**" means anything of value, including, but not limited to, cash, items or services.

- B. **"Physician"** means a duly licensed and authorized doctor of medicine or osteopathy, doctor of dental surgery or dental medicine, doctor of podiatric medicine, doctor of optometry, or chiropractor.
- C. **"Other potential referral source"** means an Allied Health Staff (AHS) and any individual [other than a licensed physician, dentist, chiropractor, optometrist or podiatrist] or entity in a position to make or influence referrals to, or otherwise generate business for, a provider.
- D. **Professional Courtesy discount is:** the provision of free or discounted health care items or services to physician or allied health staff
- E. **"Immunization"** means:
 - 1. routine screening and immunization for Hepatitis B, influenza (annual flu shots), COVID, and TB screening;
 - 2. other screening and immunization necessary due to exposure from a dangerous virus, including COVID-19, or disease while providing physician/AHS services as a Provider; and
 - 3. screening and immunization for MMR, Varicella, and Tdap.

POLICY:

- A. The Professional Courtesy Policy must be approved by the Tahoe Forest Hospital District governing board prior to offering the discount.
- B. This policy applies to the **TFHSTFHD**, which includes following entities of Tahoe Forest Hospital District (the "District") with a formal medical staff: (1) Tahoe Forest Hospital and Incline Village Community Hospital (each, an "Affiliate"); and (2) any hospital or healthcare facility in which an Affiliate either manages or controls the day-to-day operations of the facility (each, a "Provider").
- C. Immunization described in Definitions E.1 and E.2 above may be offered at no cost to physicians and AHS, as permitted by Stark regulations. These Immunization are not considered to be provided at a discount.
- D. **TFHSTFHD** and Affiliates with a formal medical staff may offer a discount on Immunization described in Definitions E.3 above, to non-employed physicians and Allied Health Staff, provided that it follows all the steps set forth in this policy and the discount is offered without regard to the volume or value of referrals or other business generated between the parties. Unless permitted by this policy, Affiliates or Providers may not offer or provide discounts to any other potential referral source.
- E. The discount on immunization described in Definitions E.3 above will be 100%.
- F. The discount on immunization described in Definitions E.3 are the only discounts that can be offered on services provided to non-employed physicians and AHS.
- G. Discounts may not be offered pursuant to this policy to any individual who is a federal health care program beneficiary, e.g., Medicare or Medi-Cal/Medicaid.
- H. **TFHSTFHD** elects to offer discounts permitted by this policy, the **TFHSTFHD** and its Affiliates is required to offer discounts to all current members of its medical and Allied Health **StaffsStaff**.

- I. Non-employed physicians not eligible for immunization as a courtesy discount defined in Definitions E.3 above, may receive the immunization, with the value of the services tracked as part the District's Non-Monetary Compensation policy. The value of the immunization shall be the acquisition cost of the vaccine/screening test incurred by the District.
- J. **TFHS****TFHD** shall advise all eligible individuals of the availability of and limitations on the discounts set forth in this policy. Notification may be made in person, in writing, or other form of private communication.
- K. **TFHS****TFHD** will implement a procedure for approving in writing all discounts offered and provided to individual pursuant to this policy.
- L. The Affiliate's or **TFHS****TFHD** COO is responsible for ensuring that all individuals adhere to the requirements of this policy. If the COO identifies a violation of this policy, the COO shall immediately report the violation to the District's Compliance Officer.
- M. Adherence to this policy shall be monitored as part of the District's Corporate Compliance **Annual Work Plan****Department**.

Related Policies/Forms:

[Non-Monetary Compensation for Physicians and Medical Staff Incidental Benefits, ALG-1913](#)

References:

CDPH Immunizations and Immunity Testing Recommendations for California Healthcare Personnel and Health Science Students 2015

All Revision Dates

10/2025, 12/2022, 01/2020, 09/2016, 09/2016

Attachments

 [HCWIZRecs 2020.pdf](#)

Approval Signatures

Step Description

Approver

Date

Anna Roth: President & CEO

Pending

Sarah Jackson: Executive
Assistant, Clerk of the Board

10/2025



AGENDA ITEM COVER SHEET

MEETING DATE: October 15, 2025 Governance Committee	ITEM: Display of the United States Flag, AGOV-2501
DEPARTMENT: Board Policy	TYPE OF AGENDA ITEM: ☒ Action ☐ Consent ☐ Discussion
RESPONSIBLE PARTY: Sarah Jackson, Executive Assistant / Clerk of the Board	SUPPORTIVE DOCUMENT ATTACHED ☐ Agreement ☐ Presentation ☐ Resolution ☒ Other Policies
BUDGET: ALLOCATED IN THE BUDGET ☐ Yes ☐ No ☒ N/A IS A BUDGET TRANSFER REQUIRED ☐ Yes ☐ No ☒ N/A	PERSONNEL ADDITIONAL PERSONNEL REQUIRED ☐ Yes ☐ No ☒ N/A
BACKGROUND: Administrative and departmental operating policies must be reviewed <i>at least once every three years</i> , more often as necessary. ABD - Board P&P's describes the role, organization, integration and responsibilities of the Governing Bodies within the organization including, Board Members and Administration, guiding consistent corporate behavior and decision making in alignment with the Mission and Values of TFHS. AGOV - Governance P&P's describe the services provided and basic principles that direct the provision of care at all levels within the organization.	
SUMMARY/OBJECTIVES: AGOV-2501 describes the District's position and standards for displaying, raising, lowering and positioning the United States Flag at District facilities.	
SUGGESTED DISCUSSION POINTS: This is a newly drafted policy recommended to alleviate the risk in failing to follow a consistent set of standards surrounding the United States Flag. The District shall utilize the United States Flag Code, California Government Code, and Presidential Proclamations regarding Flag Observances to ensure proper display of the Flag. United States Flag Code https://www.govinfo.gov/content/pkg/USCODE-2011-title4/html/USCODE-2011-title4-chap1.htm Half Staff American Flag notifications (Federal & State specific) https://halfstaff.org/state/ca/ https://halfstaff.org/state/nv/	

SUGGESTED MOTION/ALTERNATIVES:

Move to recommend approval of AGOV-2501 as presented and send to October 23, 2025, TFHD Board of Directors Consent Agenda.

Alternative Motion – recommend changes to AGOV-2501 (if changes are recommended in discussion).

LIST OF ATTACHMENTS:

- Display of the United States Flag, AGOV-2501 (draft)



TAHOE
FOREST
HEALTH
SYSTEM

Origination Date	N/A
Last Approved	N/A
Last Revised	N/A
Next Review	3 years after approval

Department	Governance - AGOV
Applicabilities	System

Display of the United States Flag, AGOV-2501

RISK:

Failure to establish and follow consistent standards for displaying, raising, lowering, and positioning the United States Flag at Tahoe Forest Hospital District facilities may result in non-compliance with the U.S. Flag Code and California state requirements, leading to regulatory violations, reputation harm, and community dissatisfaction.

POLICY:

- A. The United States Flag shall be displayed in accordance with the United States Flag Code and California law.
- B. The Flag shall be treated with the utmost respect and dignity as a symbol of the nation.
- C. The District shall maintain the Flag in good condition and replace it when it is worn, faded, or otherwise unfit for display.
- D. The District will use www.halfstaff.org for Half-Staff Federal and State (California and Nevada) notifications.

SCOPE:

This policy applies to all Tahoe Forest Hospital District facilities, including Tahoe Forest Hospital, Incline Village Community Hospital, and all administrative and support buildings under the jurisdiction of the District.

PROCEDURE:

- A. Raising and Lowering the Flag

1. The Flag shall be raised briskly at sunrise (or the start of normal business hours) and lowered ceremoniously at sunset (or the close of business).
2. The Flag may be displayed 24 hours a day if properly illuminated during hours of darkness.
3. Only trained District staff designated by Administration or Facilities shall handle the raising and lowering of the Flag.

B. Half-Staff Protocol

1. The Flag shall be flown at half-staff upon official proclamation by the President of the United States, the Governor of California, Governor of Nevada, or when otherwise required by law.
2. When lowering to half-staff:
 - a. The Flag shall first be hoisted briskly to the peak.
 - b. It shall then be slowly and ceremoniously lowered to the half-staff position (one-half the distance between the top and bottom of the staff).
3. When raising from half-staff to full-staff:
 - a. The Flag shall first be raised briskly to the peak.
 - b. It shall then be lowered ceremoniously for removal or remain at the peak for normal display.

C. Local Observances

1. The CEO or designee may direct the Flag to be flown at half-staff in observance of the death of a District employee, Board member, or other individual of local significance, consistent with federal and state law.

D. Maintenance and Replacement

1. Flags that are no longer serviceable shall be retired in a dignified manner.
2. Replacement flags shall be ordered by Facilities as needed to ensure compliance with this policy.

Responsibilities:

- A. District Administration: Ensure compliance with this policy.
- B. Facilities Department: Carry out daily raising, lowering, illumination, maintenance, and adherence to notifications.
- C. Employees: Report any damage or concerns regarding flag display.

References:

- A. United States Flag Code (4 U.S.C. §§ 1–10)
- B. California Government Code § 430
- C. Presidential Proclamations regarding Flag observances

D. Half-Staff American Flag Notifications (Federal and State specific)

1. <https://halfstaff.org/state/ca/>
2. <https://halfstaff.org/state/nv/>

Appendix A

Standard Operating Procedure (SOP): Raising, Lowering, and Half-Staff Display of the U.S. Flag

Daily Procedures:

A. Morning (Raising the Flag)

1. Retrieve the Flag from secure storage if not flown overnight.
2. Inspect the Flag for tears, fading, or damage. If unserviceable, report and replace immediately.
3. Attach the Flag securely to halyard clips.
4. Hoist the Flag briskly to the top of the pole (or to half-staff if directed).
5. Ensure halyard is secured to prevent slipping.

B. Evening (Lowering the Flag)

1. Lower the Flag ceremoniously (slow and respectful).
2. Detach the Flag carefully, preventing it from touching the ground.
3. Fold the Flag in the traditional triangular manner.
4. Store in designated clean, dry storage area.

Half-Staff Procedures:

A. Lowering to Half-Staff

1. Raise the Flag briskly to the peak of the staff.
2. Lower the Flag slowly to the halfway point.
3. Secure halyard.

B. Returning to Full-Staff

1. Raise the Flag briskly from half-staff to the peak.
2. Lower ceremoniously at the end of the day (if being taken down).

Special Instructions:

- A. When multiple flags are displayed (e.g., California State Flag, District Flag), the U.S. Flag must always be hoisted first and lowered last.

- B. If flown at night, ensure proper illumination.
- C. During inclement weather, only display all-weather Flags.
- D. If an order for half-staff display is issued (Presidential, Gubernatorial, or CEO authorized for local observance), Facilities staff will receive direct notice from Administration, or www.halfstaff.org.

Maintenance & Retirement:

- A. Inspect Flag daily for wear.
- B. Order replacements as soon as deterioration is observed.
- C. Retire unserviceable Flags respectfully, preferably through a formal ceremony (e.g., coordination with American Legion, Veterans of Foreign Wars, or Scouts).

Approval Signatures

Step	Description	Approver	Date
		Anna Roth: President & CEO	Pending
		Sarah Jackson: Executive Assistant, Clerk of the Board	10/2025



AGENDA ITEM COVER SHEET

MEETING DATE: October 15, 2025	ITEM: 6.2.6 Administration Policy & Procedure Manual Table of Contents
DEPARTMENT: Administration	TYPE OF AGENDA ITEM: ☒ Action ☐ Consent ☐ Discussion
RESPONSIBLE PARTY: Anna Roth, President & CEO	SUPPORTIVE DOCUMENT ATTACHED ☐ Agreement ☐ Presentation ☐ Resolution ☒ Other Policies & Procedures
BUDGET: ALLOCATED IN THE BUDGET ☐ Yes ☐ No ☒ N/A IS A BUDGET TRANSFER REQUIRED ☐ Yes ☐ No ☒ N/A	PERSONNEL ADDITIONAL PERSONNEL REQUIRED ☐ Yes ☐ No ☒ N/A
BACKGROUND: The Administration Office keeps a manual of policies and procedures that are available for review / use during system downtimes. Approval of the content of the manual including signature page should be obtained every three years in advance of our accreditation survey. Non-clinical policies are scheduled for review every three years per AGOV-9.	
SUMMARY/OBJECTIVES: If recommended for approval here, will move forward to consent on next District Board agenda.	
SUGGESTED DISCUSSION POINTS: For non-clinical policies and procedures, the appropriate Board Committee will review every three years and make appropriate recommendations in open session on the Consent Agenda to the Board of Directors. For Clinical Policies the Medical Executive Committee has reviewed the Department recommendations on policies, procedures and forms. The committee makes the following open session recommendation for consent agenda to the Board of Directors. · §485.635(a)(2) The policies are developed with the advice of members of the CAH's professional healthcare staff, including one or more doctors of medicine or osteopathy and one or more physician assistants, nurse practitioners, or clinical nurse specialists, if they are on staff under the provisions of §485.631(a)(1). · Procedures shall be approved by the Administration and Medical Staff where such is appropriate. · Medical Staff approval is required when direct patient care/clinical practice is addressed, including contract services for patients, prior to forwarding to the Medical Executive Committee and the Governing Board. For complete policy refer to: Policy & Procedure Structure and Approval, AGOV-9	

SUGGESTED MOTION/ALTERNATIVES:

Move to recommend approval of the Administration Policy & Procedure Manual Table of Contents with Signature Page & send to October 23, 2025 TFHD Board of Directors Consent Agenda.

LIST OF ATTACHMENTS:

- Table of policies and procedures included in Administration Manual

Title	Department	Next Review
Business Plan Development, AFIN-01	Finance-AFIN	11/1/2023*
Management Strategies for Low Census, AFIN-02	Finance-AFIN	11/1/2023*
340B Program Compliance, AGOV-1501	Governance - AGOV	4/24/2028
A Culture of Safety, AGOV-01	Governance - AGOV	8/22/2026
Administrative Delegation of Authority, AGOV-14	Governance - AGOV	10/31/2026
Available CAH Services, TFH & IVCH, AGOV-06	Governance - AGOV	4/25/2026
Civil Rights Grievance Procedure, AGOV-08	Governance - AGOV	4/24/2028
Code 250 - Hospital Emergency Response Team, AGOV-2201	Governance - AGOV	2/15/2027
Decorations and Displays, AGOV-1802	Governance - AGOV	3/23/2028
Display of the United States Flag, AGOV-2501	Governance - AGOV	11/1/2028
Disruption of Service, AGOV-16	Governance - AGOV	4/24/2028
Emergency Medical Services (EMS) of Patients on Hospital Property, AGOV-19	Governance - AGOV	2/21/2026
Hand-Off Communications, SBAR and C-U-S Reports, AGOV-1504	Governance - AGOV	1/8/2026
Management and Screening of Mental Health Patients at Risk for Suicide/Self-Harm/Harm to Others , AGOV-2101	Governance - AGOV	2/21/2026
Management of Disruptive Behavior Patient/Visitor, AGOV-2401	Governance - AGOV	10/2/2027
Medical Device Tracking, AGOV-1605	Governance - AGOV	1/16/2026
Nondiscrimination, AGOV-21	Governance - AGOV	4/24/2028
Organizational Structure, AGOV-22	Governance - AGOV	2/14/2027
Patient Identification and Arm Banding, AGOV-1801	Governance - AGOV	7/31/2026
Peer Support (Care for the Caregiver), AGOV-1602	Governance - AGOV	11/12/2026
Plan for the Provision of Care to Patients, AGOV-26	Governance - AGOV	1/25/2026
Policy & Procedure Structure and Approval, AGOV-9	Governance - AGOV	8/27/2028
Posting of Information in Public Areas of the Hospital, AGOV-28	Governance - AGOV	2/14/2027
Professional Expectations, AGOV-1505	Governance - AGOV	3/13/2027
Requests for Public Funds (Grants) and Community Sponsorships, AGOV-2402	Governance - AGOV	2/6/2027

Title	Department	Next Review
Searching of Patient's Personal Belongings, AGOV-2001	Governance - AGOV	11/25/2027
Service Animals & Pet Assisted Therapy, AGOV-1901	Governance - AGOV	2/4/2028
Sharps Security, AGOV-47	Governance - AGOV	4/24/2028
Smoke Free Environment, AGOV-37	Governance - AGOV	2/14/2027
Social Media Policy, AGOV-44	Governance - AGOV	2/25/2027
Solicitation, AGOV-38	Governance - AGOV	2/14/2027
Telephone/Verbal Orders - Receiving and Documenting, AGOV-2202	Governance - AGOV	8/27/2028
Electronic Signature, AIT-106	Information Technology-AIT and DIT	12/1/2025*
Community Involvement, APR-01	Public Relations-APR	8/1/2026*
Logo Use, APR-02	Public Relations-APR	8/1/2026*
Marketing Plan, APR-03	Public Relations-APR	11/21/2026*
Media Communications, APR-04	Public Relations-APR	11/25/2027*
Speakers Policy, APR-05	Public Relations-APR	1/12/2026*
Event Reporting (Electronic Event Reporting System), AQPI-06	Quality Assurance / Performance Improvement - AQPI	12/9/2027
Patient Safety Plan, AQPI-02	Quality Assurance / Performance Improvement - AQPI	1/21/2026
Quality Assessment / Performance Improvement (QA/PI) Plan, AQPI-05	Quality Assurance / Performance Improvement - AQPI	4/7/2026



ADMINISTRATION POLICY & PROCEDURE MANUAL

APPROVED:

Anna M. Roth, RN, MSN, MPH
President & CEO

Date:

Michael McGarry
Chair, Board of Directors

Date:



AGENDA ITEM COVER SHEET

MEETING DATE: October 15, 2025 Governance Committee	ITEM: 6.2. Resolution 2025-09 Design Build – Draft
DEPARTMENT: Board Governance	TYPE OF AGENDA ITEM: ☒ Action ☐ Consent ☐ Discussion
RESPONSIBLE PARTY: Dylan Crosby – VP Facility and Construction	SUPPORTIVE DOCUMENT ATTACHED ☐ Agreement ☐ Presentation ☒ Resolution ☐ Other
BUDGET: ALLOCATED IN THE BUDGET ☐ Yes ☐ No ☒ N/A IS A BUDGET TRANSFER REQUIRED ☐ Yes ☐ No ☒ N/A	PERSONNEL ADDITIONAL PERSONNEL REQUIRED ☐ Yes ☐ No ☒ N/A
BACKGROUND: These changes are intended to reflect the changes under AB 533 effective 1/1/26. We would like to review this policy at the Board governance committee on 10/15 in preparation for the November Board meeting. Conflict of Interest requirements: We have been using our internal conflict of interest policy, ABD 07, to fulfill this requirement. Design-build is not explicitly called out. Award: This policy (and previous versions) allow award by the Board (or designee). VP of Facilities is not aware of a specific action on the Boards behalf designating the CEO to award however, this has been practice for quite some time. I would highly recommend the CEO is the awarding body. I will defer to Anna and the Board on their preferred direction moving forward and we can update documents and process accordingly. Resolution: A Resolution is required to designate Board Authority and remains in effect until a new Resolution is authorized. A draft resolution is included later in the packet for your review. Please note Board Authority remains the same until further direction is given. Public Disclosure For this teams awareness, to meet this requirement in full, we have to document and “publicly announce” our process. Our process has been to issue a notice of intent to award to the shortlisted parties.	
SUMMARY/OBJECTIVES: Bring recommend Resolution to November Board Meeting for approval. Resolution and policy will go into effect 1/1/2026.	
SUGGESTED DISCUSSION POINTS:	

Public Disclosure

For this teams awareness, to meet this requirement in full, we have to document and “publicly announce” our process. Our process has been to issue a notice of intent to award to the shortlisted parties.

Suggested use of our website

SUGGESTED MOTION/ALTERNATIVES:

Move to recommend approval of the Resolution 2025-09 Design Build and send to the November Board Meeting.

LIST OF ATTACHMENTS:

- Resolution 2025-09 Design Build

RESOLUTION NO. ~~2025-XX~~09

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TAHOE
FOREST HOSPITAL DISTRICT AUTHORIZING THE USE OF THE
DESIGN-BUILD CONTRACTING PROCEDURES IN ACCORDANCE
WITH HEALTH AND SAFETY CODE SECTION 32132.6 AND
DELEGATING CERTAIN RESPONSIBILITIES TO THE CHIEF
EXECUTIVE OFFICER**

WHEREAS, as of January 1, ~~2017~~2025, Health and Safety Code section 32132.56, subdivision (a) authorizes the Board of Directors of a health care district to approve the use of the design-build procedure described in Chapter 4 (commencing with Section 22160) of Part 3 of Division 2 of the Public Contract Code to assign contracts for the construction of a building or improvements directly related to construction of a hospital or health facility building;

WHEREAS, the Tahoe Forest Hospital District wishes to use the design-build procedure referred to above for projects that meet the established criteria to obtain the cost benefits associated with design-build; and

WHEREAS, the Board of Directors seeks to approve use of the design-build procedures for all eligible projects by the District and delegate to the ~~President &~~ Chief Executive Officer certain authority, subject to the Board's ultimate authority for final approvals.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Tahoe Forest Hospital District, that:

SECTION 1. The design-build procedure described in Chapter 4 (commencing with Section 22160) of Part 3 of Division 2 of the Public Contract Code to assign contracts for the construction of a building or improvements directly related to construction of a hospital or health facility building is approved for use by the District.

SECTION 2. The ~~President &~~ Chief Executive Officer is authorized to:

- a. Determine whether design-build shall be used for any eligible project as provided by law;
- b. Initiate proceedings for bidding eligible projects, including determining whether any project will be awarded by the low bid or best value method;
- c. Oversee the Request for Qualifications and Request for Proposals required by the Public Contracts Code to gather bids;
- d. Prepare a recommendations for the Board; and
- e. Take all action necessary to carry out these actions.

SECTION 3. The Board shall retain its authority to award all contracts under the design-build procedures.

SECTION 4. This resolution shall take effect on January 1, ~~2017~~2025.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Board of Directors of the Tahoe Forest Hospital District duly called and held in the District this ___nd day of _____, ~~2016~~2025 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

APPROVED:.,

~~CHARLES ZIPKIN, MD~~
~~XXXX~~Michael McGarry
~~President~~Chairperson, Board of Directors
Tahoe Forest Hospital District

ATTEST:

~~JOHN MOHUN~~~~XXX~~Alyce Wong
Secretary, Board of Directors
Tahoe Forest Hospital District



AGENDA ITEM COVER SHEET

MEETING DATE: October 15, 2025 Governance Committee	ITEM: 6.3.1. Board Standing Committees
DEPARTMENT: Board Governance	TYPE OF AGENDA ITEM: ☒ Action ☐ Consent ☐ Discussion
RESPONSIBLE PARTY: Sarah Jackson, Executive Assistant / Clerk of the Board	SUPPORTIVE DOCUMENT ATTACHED ☐ Agreement ☐ Presentation ☐ Resolution ☒ Other Standing Committees
BUDGET: ALLOCATED IN THE BUDGET ☐ Yes ☐ No ☒ N/A IS A BUDGET TRANSFER REQUIRED ☐ Yes ☐ No ☒ N/A	PERSONNEL ADDITIONAL PERSONNEL REQUIRED ☐ Yes ☐ No ☒ N/A
BACKGROUND: Each year in January per the District Bylaws the Board passes a resolution affirming the Standing Committees for the coming calendar year. Those committees per the Bylaws have most recently been: 1. Finance Committee 2. Quality Committee 3. Governance Committee 4. Executive Compensation Committee 5. Community Engagement Committee	
SUMMARY/OBJECTIVES: Attached are the most recently approved charters for each committee.	
SUGGESTED DISCUSSION POINTS: Does the Governance Committee recommend that these five (5) standing committees remain intact for Calendar Year 2026? If additional standing committees or changes to the existing five (5) standing committees are being suggested that may require a Bylaws update. Bylaws are reviewed on "even" years and will be scheduled for review in CY 2026.	
SUGGESTED MOTION/ALTERNATIVES: Move to recommend approval of the standing committees for Calendar Year 2026 as presented. Alternative Motion – recommend changes to the Standing Committees for FY 2026 (if changes are recommended in discussion).	

LIST OF ATTACHMENTS:

- Resolution 2025-02
- Finance Committee Charter
- Quality Committee Charter-Draft
- Governance Committee Charter
- Executive Compensation Committee Charter
- Community Engagement Committee Charter

RESOLUTION NO. 2025-02

**RESOLUTION OF THE BOARD OF DIRECTORS OF TAHOE FOREST
HOSPITAL DISTRICT TO AFFIRM THE STANDING COMMITTEES FOR
CALENDAR YEAR 2025**

WHEREAS, Tahoe Forest Hospital District (the “District”) is a local health care district duly formed and organized under the laws of the State of California;

WHEREAS, the Board of Directors Bylaws require standing committees and their respective charters to be affirmed annually.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Tahoe Forest Hospital District that the following standing board committees and their respective charters attached are affirmed for 2025:

1. Finance Committee
2. Quality Committee
3. Governance Committee
4. Executive Compensation Committee
5. Community Engagement Committee

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Tahoe Forest Hospital District duly called and held in the District this 23rd day of January, 2025 by the following vote:

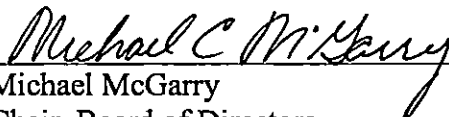
AYES: Chamblin, Brown, Wong, Darzynkiewicz, McGarry

NOES: none

ABSENT: none

ABSTAIN: none

APPROVED:



Michael McGarry
Chair, Board of Directors
Tahoe Forest Hospital District

ATTEST:



Martina Rochefort, Clerk of the Board
Tahoe Forest Hospital District

Charter

Finance Committee Board of Directors Tahoe Forest Hospital District

PURPOSE: The purpose of the charter is to delineate the Finance Committee's duties and responsibilities.

RESPONSIBILITIES: The Finance Committee is responsible for assisting the Board in oversight of financial affairs by monitoring the organization's financial policies and the adequacy of its reporting, and recommending actions to protect and enhance the community's investment in the hospital. It will also assure that appropriate policies and procedures are in place to safeguard and preserve the assets of the hospital.

DUTIES:

1. Review quarterly the District operating, cash and capital budgets, budget performance and financial management and make recommendations.
2. Review financial statements quarterly.
3. Oversee the annual independent audit and supervision of any necessary corrective measures.
4. Review annually the investment of District funds.
5. Annually review the financial plans for consistency with hospital and system-wide strategic objectives.
6. Monitor financial indicators relative to industry benchmarks and like organizations.

COMPOSITION:

The Committee is comprised of at least two (2) members. The Board Treasurer shall serve on the Committee, and the second Committee member shall be appointed by the Board Chair.

MEETING FREQUENCY: The Committee shall meet quarterly. A report will be made to the Board of Directors, quarterly, or otherwise as requested.

DRAFT Charter
Quality Committee
Tahoe Forest Hospital District
Board of Directors

PURPOSE:

The Quality Committee of the Hospital District Board is established to oversee and guide the quality measures by which Tahoe Forest Health System can deliver the best possible outcomes for our patients.

RESPONSIBILITIES:

The Quality Committee serves as the standing committee of the Board of Directors, providing oversight of Quality Assessment and Performance Improvement (QAPI), assuring the delivery of high-quality care, promotes patient safety, and enhances the overall patient experience across the Health System.

DUTIES:

1. Put forward to the governing Board, action items and recommendations regarding any policies and procedures governing quality, patient safety, environmental safety, and performance improvement throughout the organization.
2. Assure the provision of organization-wide quality of care, treatment, and service provided and prioritization of performance improvement throughout the organization.
3. Steward the improvement of care, treatment, and services to ensure that it is safe, beneficial, patient-centered, customer-focused, timely, efficient, and equitable and it reflect the Tahoe Forest Hospital District Community.
4. Monitor the organization's performance in national quality measurement efforts, accreditation programs, and subsequent quality improvement activities adheres to the mission of Tahoe Forest Hospital District.
5. Whenever quality goals/benchmarks are not met, recommend corrective actions to the governing Board to address deficiencies, mitigate risks, and improve performance.
6. Ensure the development and implementation of ongoing board education, focusing on service excellence, performance improvement, risk reduction/safety enhancement, and healthcare outcomes.

COMPOSITION:

The Committee is comprised of at least two (2) board members as appointed by the Board Chair.

MEETING FREQUENCY:

The Committee shall meet quarterly.

Charter
Governance Committee
Board of Directors
Tahoe Forest Hospital District

Purpose:

The charter of the Governance Committee of the District's Board of Directors delineates the Committee's duties and responsibilities.

Responsibilities:

The Governance Committee of the Board shall function as a standing committee of the Board responsible for addressing all governance-related issues. The Committee shall develop, maintain, and implement the necessary governance-related policies and procedures that define the Hospital's governance practices.

Duties:

1. Conduct at least a biennial review of the Bylaws and submit recommendations to the Board of Directors for changes to Bylaws as necessary.
2. Conduct at least a triennial review of Board policies and submit recommendations to the Board of Directors for changes to the policies as necessary.
3. Develop new Board policies and procedures as necessary or as directed by the Board of Directors.
4. Advance best practices in board governance.
5. Ensure the annual board self-assessment is conducted no later than December 1.
6. Participate in the development of the Agenda for scheduled Board Retreats.
7. Ensure a board goal setting process is conducted no later than April 30 and reviewed at the October board retreat.
8. Direct staff to ensure and oversee a comprehensive board orientation process.
9. Direct staff to ensure and oversee ongoing board education and development.

Composition:

The Committee shall be comprised of two (2) Board members appointed by the Board Chair.

Meeting Frequency:

The Committee shall meet as needed.

Charter
Executive Compensation Committee
(formerly Personnel Committee)
Tahoe Forest Hospital District
Board of Directors

PURPOSE:

The purpose of the charter is to delineate the responsibilities and duties of the Executive Compensation Committee of the District's Board of Directors.

RESPONSIBILITIES:

The Executive Compensation Committee is responsible for assisting the Board in oversight of President & Chief Executive Officer (CEO) relations and the work done through the Winning Aspirations.

DUTIES:

1. Oversee the identification and recruitment of the organization's CEO as directed by the Board of Directors.
2. Ensure an annual CEO performance evaluation process is in place.
3. In conjunction with the CEO, using a standardized evaluation tool, annually review and recommend modifications of the goals and objectives documents which will be used to evaluate the performance of the CEO.
4. Review annually the CEO's comprehensive compensation package, and make recommendations to the Board of Directors as necessary.
5. Review metrics annually for the CEO's Incentive Compensation Criteria and make recommendations to the Board of Directors as necessary.
6. Review annually the CEO's Employment Agreement, and make recommendations to the Board of Directors as necessary.
7. In conjunction with the CEO, review and evaluate annually the CEO position description to ensure its continued relevance. Recommend revisions to the Board of Directors as necessary.

COMPOSITION:

The Committee is comprised of at least two (2) board members appointed by the Board Chair.

MEETING FREQUENCY:

The Committee shall meet at least once annually and then on an as needed basis.



BOARD COMMUNITY ENGAGEMENT COMMITTEE CHARTER

Purpose

The Community Engagement Committee of the hospital district board is established to oversee and guide methods by which Tahoe Forest Health System can be an integrated partner in a more healthy community. The Committee ensures collaboration between the health system and its community partners through active listening and advocacy for our public. The Committee will support Tahoe Forest Health System's focus on health in addition to healthcare.

Responsibilities

- Aid in the identification of unmet, community health needs and the means by which those gaps can be filled.
- Assist in strategic plan and budget for the community benefit, health and wellness services offered to our community.
- Provide a collaborative space for open ideas, active listening and creative problem solving for community health and wellness.
- Aid in the identification of qualitative and quantitative metrics to track Committee engagement and progress.
- Aid in the identification of community partners to convene, discuss and collaboratively implement strategies to improve community health.
- Assist in employing various media to engage the public and regularly share Tahoe Health System's progress on and investment in community health.
- Aid in assisting a summary report for the public on all activities of the Tahoe Forest Health System as it relates to community health. This may include cost, partners, community health issues (current and future) and planning.

Guiding Principles

- Focus on Community Health
- Build Trust Through Collaboration
- Be Agile and Evolve as we Learn
- Prioritize Health over Healthcare
- Remain Curious

Composition

The committee will consist of two (2) members of the Tahoe Forest Hospital District Board of Directors.

Meeting Schedule:

The committee will meet quarterly.



AGENDA ITEM COVER SHEET

MEETING DATE: October 15, 2025 Governance Committee	ITEM: 6.3.2. Board Committee Meeting Schedule and Rolling Agenda Items
DEPARTMENT: Board Governance	TYPE OF AGENDA ITEM: ☒ Action ☐ Consent ☐ Discussion
RESPONSIBLE PARTY: Sarah Jackson, Executive Assistant / Clerk of the Board	SUPPORTIVE DOCUMENT ATTACHED ☐ Agreement ☐ Presentation ☐ Resolution ☒ Other Schedule Matrix
BUDGET: ALLOCATED IN THE BUDGET ☐ Yes ☐ No ☒ N/A IS A BUDGET TRANSFER REQUIRED ☐ Yes ☐ No ☒ N/A	PERSONNEL ADDITIONAL PERSONNEL REQUIRED ☐ Yes ☐ No ☒ N/A
BACKGROUND: At regular intervals throughout the year, various departments and programs, both closed and open session, come to the Board of Directors with updates and actions items. This matrix both highlights when items have historically been brought to the board and recommends revisions to the frequency and months they may be brought. This is a first draft, available for revision.	
SUMMARY/OBJECTIVES: This first draft schedule is an attempt to distribute regulatory reports / actions items throughout the years and intersperse them with informative and interactive discussion and action items. Some regulatory items will need to be kept on a specific schedule, while other non-regulatory items can be more fluid on the calendar.	
SUGGESTED DISCUSSION POINTS: Items marked in green are items suggested to stay in that month. Items marked in Red were previously presented in that month are recommended for removal from the calendar during that time. Some items are being recommended to be moved from closed session to open session (ie. The Annual Home Health/Hospice Report has already been moved) Some items are being recommended to be changed from quarterly to semi-annual or annual (ie. Quarterly Patient Safety, Risk, Complaint, Grievance, Service Excellence and Quality could be rolled into one larger Annual Report or two semi-annual reports) Committees Schedules are attached at either, 3 or 4 times annually. The Foundation Boards both self-determine their meeting frequency, they are included on chart for reference only.	

SUGGESTED MOTION/ALTERNATIVES:
Move to recommend approval of the standing committees for Calendar Year 2026 as presented.
Alternative Motion – recommend changes to the Standing Committees for FY 2026 (if changes are recommended in discussion).
LIST OF ATTACHMENTS:
• Board Agenda Matrix

		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
CLOSED SESSION													
Quality - 2024 Infection Prevention Annual Report (closed session)	1 x year		X		X								
Quality - Utilization Review, Case Management, & Readmission Report with Lori Graham & Care Coordination Update Hilary Baylis (closed	1 x year		X		X								
Quarterly Compliance Report -CLOSED	1 x Year		X	X		X			X			X	
Quality - CY 2023 Patient Safety Report & CY 2024 Risk Report (closed session)	2 x year		X						X				
Quality - July-December 2024 Disclosure summary (closed session)	2x year		X						X				
Quality - 2020-2024 Peer Review Summary Report (closed Session)	1 x year		X										
Quality - 2024 Annual Quality Assurance/Performance Improvement Report (closed session) with Dr. Conway (includes FY 2023/2024 2nd quarter BOD Quality Report & CY 2023 Patient Safety, Risk, Complaint/Grievance, Service Excellence Summary Reports). Quarterly Compliance Report -CLOSED	1 x year		X										
Quality - Trauma Quality Report with Dr. Cooper & Julie Madden. (closed session).	1 x year			X									
Quality - Culture of Patient Safety SCOR Summary report & Beta HEART Validation Survey action plan (closed session)	1 x year						X						
Quality - Complaint/Grievance Report FY 2024/2025 (closed session).								X					
Quality - Service Recovery FY 2024/2025 (closed session);	1 x year							X					
Quality - Quarterly Quality Dashboard 2025 Quality report (closed session).									X				

		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Quality - Claims/Litigation Summary Report 2023/2024 (closed session)	1 x year								X				
Quality - Patient Safety & Risk Summary Report Jan-June 2024 (closed session)									X				
Quality - Jan-June 2025 Disclosure summary (closed session).									X				
Quality - Contract Service Quality Review summary report (closed session with Janet / Matt Mushet).	1 x year									X			
Quality - 1st Quarter FY 2025/2026 Quality report (closed session).												X	
Workplace Violence summary report (closed session) with Myra Tanner & Dylan Crosby.	1 x year											X	
Annual CEO Evaluation presented to CEO (Every December Closed Session)	1 x year												X
OPEN SESSION													
Annual Designation of the BOD Representative to Medical Executive Committee	1 x Year	X											
Presentation to Outgoing BOD President	1 x Year	X											
Review BOD Regular Meeting Schedule for upcoming year	1 x Year	X											
Resolutions - adopting board compensation / affirming standing board committees	1 x year	X											
Quarterly Compliance Report -OPEN	1xyear		X	X		X			X			X	
Retirement Plan Updates (within 90 days of CYE and FYE)	2 x Year		X						X				
Approve Annual Quality Plan	1 x Year		X										
Hospice Annual Quality Plan	1 x Year		X										

		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Community Health Index / Wellness Updates	1x year			X									
Quality - QA/PI Plan consent agenda approval (open session)	1 x year			X									
Quality - Quality Assessment/Performance Improvement (QA/PA) Plan, AQPI-05 Policy AQPI-05 Policy with changes recommend for approval by the Board Quality Committee	1 x year			X									
Marketing Report (Board Retreat)	1 x Year			X									
Facilities & Construction Updates	2 x Year				X						X		
Foundations Reports	1 x year				X								
Quality - Service Excellence Report FY 2024/2025					X								
PEAK Nursing Program Update	1 x year				X								
Decide on CEO Incentive Comp for next fiscal year	1x year +					X	X						
AB 2561 Public Hearing re: HR Jobs & Recruitment Information (month before we adopt budget)	1 x Year					X							
Consolidation of District Election (Even Years)	every other year					X							
Home Health, Hospice, Palliative Care Quality Report with Director	1 x year					X							
Legislative Update California, after May revise - Ted Owens	1 x year					X							
Annual Budget							X						
Exec Comp Committee reviews CEO evaluation process and revises if necessary	1 x year						X						
Annual Investment Report (Chandler Investment)	1 x Year							X					
Annual Resolution - Tax Rate / Approval of GO Bond Tax Rate Resolution	1 x year							X					
Community Health Survey Results	1 every 3 years									X			
Behavioral Health update	1 x year									X			

		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Exec Comp Committee collects input for CEO self-evaluation and self score, Med Staff input, and Board input	1 x year									X			
Quality - Culture of Patient Safety SCOR Summary report & Beta HEART Validation Survey action plan	1x year									X			
Annual Audit Report Presentation & Approval	1 x year										X		
Orthopedic Services Quality Report with Stacy Olson	1 x year										X		
Exec Comp Committee summarizes all CEO Evaluation input, and distributes draft to BOD for review and finalization	1 x year										X		
Discuss Board Self Evaluation Process	1 x year											X	
Quality Star Rating Overview Education	1 x year											X	
BOD Elections/Appointment of Board Committees	1 x Year												X
Cancer Center Quality Report (open session) with Kelley Bottomley and Dr. Reichert.	1 x year												X
Pastoral Care Update	1 x year												X
PFAC Overview & Accomplishments	1 x year												X
Presentation to Outgoing Chief of Staff	1 x year												X
OTHER REPORTS / UPDATES													
Board Culture and Norms (Retreat)	1 x year		X	X									
Board Retreat	1 x year		X										
ByLaws every other year	every other year	X											
TTWHA Agency	1 x year				X								

		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Quality - Trauma Quality Report with Dr. Cooper & Julie Madden. (EOYear/even years Data in aggregate).							X						
		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
COMMITTEES / other Boards													
Communittee Engagement Committee (3rd week)	4 x year		X			X			X			X	
Executive Compensation Committee	3 x year				X		X					X	
Finance Committee	4 x year	X			X			X			X		
Governance Committee Committee	3 x year	X		X			if needed			X			
Joint Conference Committee	as needed												
Quality Committee	4 x year		X			X			X			X	
IVCH Foundation Board	12 x Year	X	X	X	X	X	X	X	X	X	X	X	X
TFHS Foundation Board	10 x Year		X	X	X	X	X	X	X	X	X		X