



San Diego County
Local Agency Formation Commission
 Regional Service Planning | Subdivision of the State of California

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AGENDA REPORT
 Business | Discussion

March 3, 2025

TO: Chair Whitburn and Commissioners

FROM: Priscilla Mumpower, Assistant Executive Officer
 Joelle Burila, Analyst I

SUBJECT: **Support for Assembly Bill 259 | Remote Participation for Local Agencies**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider a recommendation to formally support Assembly Bill (AB) 259. Introduced by Assemblywoman Blanca Rubio for the 2025-2026 legislative session, AB 259 seeks to remove the January 1, 2026, sunset date from provisions in the Ralph M. Brown Act—enacted by AB 2449—that allow local agencies to utilize alternative teleconferencing procedures during meetings. This bill would extend these provisions indefinitely, allowing remote participation during emergencies or for other "just cause." The bill is sponsored by the California Special Districts Association (CSDA) and Three Valleys Municipal Water District and would allow the Commission to continue to allow its members to participate remotely under specific circumstances.

BACKGROUND

AB 2449, introduced in 2022 by Assemblywoman Rubio (California’s 48th Assembly District, West Covina), establishes a sunset provision in the Ralph M. Brown Act (“Brown Act”) to allow local agency members to participate remotely in meetings. This provision is set to sunset at the end of 2025. Assemblymember Rubio seeks to eliminate the sunset clause via AB 259 and allow local agency legislative bodies to use teleconferencing for meetings indefinitely, ensuring that the flexibility introduced by AB 2449 remains.

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DISCUSSION

This item is for San Diego LAFCO to consider a recommendation to formally support AB259. This legislation would allow local agencies to continue to use alternative teleconferencing procedures in conducting business, provided that a quorum of members participates in person at a designated public location within the agency’s jurisdiction. The author asserts the legislation would provide local agencies with continued flexibility in their operations, while still adhering to public access requirements outlined in the California Constitution and the Brown Act.

A fact sheet for AB 259 is provided as Attachment One, and a draft letter of support is provided as Attachment Two.

ANALYSIS

AB 259 is byproduct of COVID-19 and need to revision how local governments can continue to openly conduct business while providing basic protections against the spread of viruses. This involves removing the sunset provision previously established in AB 2449 and in doing so ensuring that remote participation in local agency meetings remains in effect beyond 2025. The provisions of AB 2449, which were negotiated by civil society groups and local government stakeholders, included safeguards such as the requirement for an in-person quorum at the meeting location. AB 259 seeks to extend this flexibility indefinitely, which aligns with San Diego LAFCO's current use of remote participation during “just cause” or emergency circumstances — a practice made possible by AB 2449. This flexibility has enhanced accessibility and efficiency in LAFCO’s governance, enabling board members to participate despite geographic or personal constraints.

RECOMMENDATION

It is recommended that the San Diego LAFCO approve a support position on AB 259, consistent with Alternative Action One as outlined in the proceeding section.

ALTERNATIVES FOR ACTION

The following alternative actions are available to San Diego LAFCO:

Alternative One (recommended):

Approve a support position for AB 259 and authorize the Executive Officer to provide a letter to the author on behalf of the Commission.

Alternative Two:

Continue consideration of the item to a future meeting and provide direction to staff for additional information as needed.

Alternative Three:

Take no action.

PROCEDURES

This item has been placed on San Diego LAFCO's agenda for action as part of the business calendar. The following procedures are recommended in the consideration of this item:

- 1) Receive verbal presentation from staff unless waived.
- 2) Invite comments from interested audience members.
- 3) Discuss and provide feedback, as requested.

On behalf of the Executive Officer,



Priscilla Mumpower
Assistant Executive Officer

Attachment:

- 1) AB 259 (Rubio) Fact Sheet
- 2) San Diego LAFCO Draft Letter of Support for AB 259

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Assembly Bill 259 (Rubio)

Sunset Elimination for Modified Brown Act Meeting Procedures

Bill Summary

[Assembly Bill 259 \(Rubio\)](#) eliminates the sunset on provisions added to the Brown Act by [Assembly Bill 2449 \(Rubio, 2022\)](#), a bill that provided additional flexibility with alternative Brown Act meeting procedures able to be observed in the event of a board member's absence in connection with a "just cause" or "emergency circumstances," allowing for those members so-affected to participate in the meeting remotely consistent with the process detailed in the bill. The provisions of AB 2449 include restrictions on how often its provisions may be invoked and require that a majority of the board be present in-person in order to constitute a quorum.

Problem

Several special districts and other local agencies have utilized the procedures established by AB 2449, successfully facilitating remote participation for legislative policymakers that would otherwise been encumbered by illness, official travel, or medical emergency. Though the terms of AB 2449 have been amended since their passage, the sunset date associated with its terms has not been changed; the alternative Brown Act meeting procedures established by the bill expire at the end of 2025.

Solution

By removing the sunset, AB 259 preserves the additional flexibility for individual board members of local agencies looking to meet remotely to continue providing the public with essential services.

Background

In support of the original legislation, AB 2449, author Assembly Member Blanca Rubio remarked that remote meetings held over the last few years "demonstrated the value of remote participation options when individuals are unable to attend a physical gathering. The Brown Act ensures that officials and their constituents can have open and transparent meetings, which we now know can occur using modern technology. [...] AB 2449 would

provide an avenue for constituents to interact with their representatives in situations where they might have not previously been able to."

AB 2449 followed other legislation like [Assembly Bill 361 \(R. Rivas, 2021\)](#) related to the Brown Act. However, while bills like AB 361 were concerned with entire agencies and disaster emergency scenarios posing a threat to the general health and welfare of all attendees, AB 2449 is more limited in scope. AB 2449 is applicable to individual board members – rather than the entire agency – and is concerned with the specific "just cause" and "emergency circumstances" enumerated within the bill.

Support

- California Special Districts Association
- Three Valleys Municipal Water District
- Various local government associations
- Various counties, cities, special districts, and other local agencies

For More Information

Marcus Detwiler
California Special Districts Association
marcusd@csda.net

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San Diego County Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

February 25, 2025

The Honorable Blanca Rubio
California State Assembly
1021 O Street, Suite 5250
Sacramento, California 95814

RE: Assembly Bill 259 (Rubio) – Support [As Introduced]

Dear Assembly Member Rubio:

The San Diego County Local Agency Formation Commission (LAFCO) is pleased to support Assembly Bill 259, related to the Ralph M. Brown Act. Established in 1963, LAFCOs are political subdivisions of the State of California responsible for providing regional growth management services across all 58 counties. LAFCOs' authority is codified under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH), with oversight provided by the Assembly Committee on Local Government.

In response to the evolving needs of public meetings and the increasing demand for remote participation, your office introduced Assembly Bill 2449 in 2022, which amended the Ralph M. Brown Act. This bill allowed local agencies to implement remote participation procedures starting in 2023 with a January 1, 2026 sunset date, providing an effective solution for officials unable to attend in person due to illness, official travel, or medical emergencies. AB 2449, which was shaped by collaboration among civil society groups and local government stakeholders, included important safeguards, such as ensuring a quorum in person at the official meeting location. AB 259 would remove the sunset provision, ensuring that the remote participation provisions of AB 2449 continue beyond 2025. Importantly, AB 259 does not alter any other elements of the remote meeting procedures established under AB 2449.

For these reasons, San Diego LAFCO is pleased to support AB 259.

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Rincon del Diablo

Harry Mathis
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Brigette Browning, Alt.
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Sincerely,



Keene Simonds
Executive Officer
San Diego LAFCO

CC:

Assembly Member David A. Alvarez

Assembly Member Tasha Boerner

Assembly Member Laurie Davies

Assembly Member Carl DeMaio

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Senator Akilah Weber Pierson

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