

YOLO  
LOCAL  
AGENCY  
FORMATION  
COMMISSION



**To:** Yolo Local Government Agency Managers  
**From:** Christine Crawford, LAFCo Executive Officer  
Terri Tuck, Commission Clerk  
**Re:** Yolo Local Government Web Transparency Scorecard  
**Reminder of Upcoming Review – Fall 2020**  
**Date:** September 2, 2020

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You may likely recall our local elected city/county officials asked LAFCo to prepare web transparency score cards for the cities/county, special districts and joint powers authorities (69 agencies in total) each year. If you need a refresher, please either contact us and/or check out the information posted on our website at:

<https://www.yololafco.org/yolo-local-government-website-transparency-scorecards>

**This letter is a friendly reminder that LAFCo will begin scoring website content sometime October 1<sup>st</sup> or thereafter.** We have 69 agencies to review between October 1 - December 31, 2020, so we don't know exactly when each agency will be reviewed.

You will find last year's report and agency score [HERE](#) and the scoring criteria is listed on pages 2-3). If we missed something last year or perhaps one of the criteria shouldn't apply to your agency, please contact us and/or update your agency's one-page scoresheet in the appendices with the web address/URL where the information is located and send it to us. We are willing to work with you.

If your agency does not currently have a website, please contact us because we can connect you to an affordable website option available. For special districts, scholarships are available for 15 months of free website services.

Some dependent districts or "paper" JPAs may elect to have its transparency information hosted on the "parent" agency website. Cities/County, please see the attached list of agencies we consider you responsible for (page 4).

#### Next Steps

















1. If you have recently created a new website, please notify us with the link at your earliest convenience
2. Please use the rest of September to add any needed content to your agency's website.
3. Review/scoring by LAFCo will occur sometime during the October – December timeframe.
4. The Web Transparency Scorecard will be publicly released and posted on the LAFCo website in January 2021.

#### Questions?

If you have any questions, please review the attached annotated checklist and do not hesitate to contact me or Terri Tuck at (530) 666-8048.

## AGENCY WEB TRANSPARENCY CHECKLIST (Amended by LAFCo on March 28, 2019)

The scorecard will be based on the following criteria:

1. Overview
  - a. **Description of services/functions**: What actions does the agency undertake and what services does the agency provide? 
  - b. **Boundary of service area**: What specific area does the agency serve? (May not be applicable to all JPAs. If not, who (generally) or what agencies does the JPA serve?) 
2. Budget
  - a. Budget for **current fiscal year** and **three years prior to the current year**. 
  - b. **Financial reserves policy**: What is the agency's policy for designated reserves and reserve funds? (The policy should be in either the agency policy manual or found in the budget or audit reports). 
3. Meetings
  - a. **Board meeting schedule**: When and where specifically does the agency meet? 
  - b. **Archive of Board meeting agendas & minutes for at least the last 6 months**: Both approved minutes and past agendas 
4. Elected & Appointed Officials
  - a. **Board members (names, contact info, terms of office (does not apply to JPAs), compensation, and biography)**: Who specifically represents the public on the Board? How can the public contact them? When were they elected (or appointed)? How much do they earn in this role (as required by Assembly Bill 2040 effective January 1, 2015)? 
  - b. **Election procedure and deadlines**: If the public wishes to apply to be on the Board, how and when can they do so (does not apply to JPAs)?
  - c. **Reimbursement and compensation policy**: Which (if any) expenses incurred by the Board are reimbursed? Do the Board members receive compensation? 
5. **Administrative Officials**
  - a. **General manager and key staff (names, contact info, compensation, and benefits)**: Who specifically runs the agency on a day-to-day basis? How can the public contact them? How much do they earn in this role (as required by Assembly Bill 2040 effective January 1, 2015)? What specific benefits are they eligible for (healthcare, retirement plan, educational benefits, etc.)? 
6. **Audits**
  - a. Current financial audit 
  - b. Financial audits for the three years prior to the current year
7. **Contracts**
  - a. Current request for proposals and bidding opportunities 
  - b. Instructions on how to submit a bid or proposal 
8. **Public Records**
  - a. What is the best way for the public to request public records? 
9. **Revenue Sources**
  - a. Summary of fees received: fees for services, if any? 
  - b. Summary of revenue sources: bonds, taxes, loans and/or grants? **The public should be able to understand how the agency is funded, generally speaking.**
10. Agency Specific Criteria
  - a. Municipalities: Downloadable permit applications, and zoning ordinances

- b. **Special Districts:** Authorizing statute/enabling act (Principal Act or Special Act) and board member ethics training certificates
- c. **Joint Powers Authorities:** A copy of the joint powers agreement as filed and adopted (with any updates)



## Dependent Special Districts and “Paper” JPAs

### City of Davis

The following “paper” JPA already has an information page on the City’s website. It’s transparency score from last year’s report is noted for reference.

#### “Paper” Joint Powers Authorities/Agencies

Davis Public Facilities Finance Authority (41%)

### City of West Sacramento

The following “paper” JPAs and dependent special district already have information pages on the City’s website. The transparency score from last year’s report is noted for reference.

#### “Paper” Joint Powers Authorities/Agencies

River City Regional Stadium Financing  
Authority (28%)

West Sacramento Financing Authority (14%)

#### Dependent Special Districts

Sacramento-Yolo Port District (63%)

### City of Winters

The following “paper” JPA needs an information page on the City’s website.

#### “Paper” Joint Powers Authorities/Agencies

Winters Public Finance Authority (0%)

### City of Woodland

The following “paper” JPA needs an information page on the City’s website.

#### “Paper” Joint Powers Authorities/Agencies

Woodland Finance Authority (0%)

### Yolo County

The following “paper” JPAs need an information page on the County’s website.

The following fire protection districts (FPD) are dependent to Yolo County. Their websites currently vary from having a website with minimal content to no website at all (the score from last year’s report is noted for reference). Yolo County needs to work with each of its FPDs to either: (1) ensure the FPD creates or augments its own website; or (2) host webpages for the FPD on the Yolo County website.

#### “Paper” Joint Powers Authorities/Agencies

Conaway Ranch (0%)

Winters Branch Library Financing Authority (0%)

Yolo County Law Library (30%)

#### Dependent Special Districts

Capay FPD (0%)

Dunnigan FPD (15%)

East Davis FPD (26%)

Esparto FPD (21%)

Knights Landing FPD (17%)

No Man’s Land FPD (0%)

Springlake FPD (55%)

West Plainfield FPD (18%)

Willow Oak FPD (16%)

Winters FPD (21%)

## Yolo County Web Transparency Scorecards

### Fire Protection Districts (FPDs)

Capay FPD Score: 0%	Clarksburg FPD Score: 16%	Dunnigan FPD Score: 15%	East Davis FPD Score: 25%	Elkhorn FPD Score: 0%
Overview	Overview	Overview	Overview	Overview
Budget	Budget	Budget	Budget	Budget
Meetings	Meetings	Meetings	Meetings	Meetings
Elected Officials	Elected Officials	Elected Officials	Elected Officials	Elected Officials
Administrative Officials	Administrative Officials	Administrative Officials	Administrative Officials	Administrative Officials
Audits	Audits	Audits	Audits	Audits
Contracts	Contracts	Contracts	Contracts	Contracts
Public Records	Public Records	Public Records	Public Records	Public Records
Revenue Sources	Revenue Sources	Revenue Sources	Revenue Sources	Revenue Sources
Agency Specific	Agency Specific	Agency Specific	Agency Specific	Agency Specific
Esparto FPD Score: 8%	Knights Landing FPD Score: 0%	Madison FPD Score: 23%	No Man's Land FPD Score: 0%	Springlake FPD Score: 0%
Overview	Overview	Overview	Overview	Overview
Budget	Budget	Budget	Budget	Budget
Meetings	Meetings	Meetings	Meetings	Meetings
Elected Officials	Elected Officials	Elected Officials	Elected Officials	Elected Officials
Administrative Officials	Administrative Officials	Administrative Officials	Administrative Officials	Administrative Officials
Audits	Audits	Audits	Audits	Audits
Contracts	Contracts	Contracts	Contracts	Contracts
Public Records	Public Records	Public Records	Public Records	Public Records
Revenue Sources	Revenue Sources	Revenue Sources	Revenue Sources	Revenue Sources
Agency Specific	Agency Specific	Agency Specific	Agency Specific	Agency Specific
West Plainfield FPD Score: 5%	Willow Oaks FPD Score: 12%	Winters FPD Score: 13%	Yolo FPD Score: 0%	Zamora FPD Score: 0%
Overview	Overview	Overview	Overview	Overview
Budget	Budget	Budget	Budget	Budget
Meetings	Meetings	Meetings	Meetings	Meetings
Elected Officials	Elected Officials	Elected Officials	Elected Officials	Elected Officials
Administrative Officials	Administrative Officials	Administrative Officials	Administrative Officials	Administrative Officials
Audits	Audits	Audits	Audits	Audits
Contracts	Contracts	Contracts	Contracts	Contracts
Public Records	Public Records	Public Records	Public Records	Public Records
Revenue Sources	Revenue Sources	Revenue Sources	Revenue Sources	Revenue Sources
Agency Specific	Agency Specific	Agency Specific	Agency Specific	Agency Specific

## West Plainfield FPD

Audit completed: <i>November 30, 2018</i>	Score:	Link:	Notes:
<b>1. Overview (10 points)</b>			
a. Mission (3.33 pts)	0	NO	
b. Description of Services/functions (3.33 pts.)	0	NO	
c. Service Boundary (3.33 pts)	2.75	<a href="https://wpfd.net/district-1">https://wpfd.net/district-1</a>	Map is <u>not</u> correct. Suggest adding the LAFCo boundary map
<b>Total</b>	<b>3</b>		
<b>2. Budget (10 points)</b>			
a. Current FY + 3 years prior (5 pts)	0	NO	
b. Financial Reserve Policy (5 pts)	0	NO	
<b>Total</b>	<b>0</b>		
<b>3. Meetings (10 points)</b>			
a. Schedule (5 pts)	0	NO	
b. Archive of agendas/mintutes (5 pts)	0	NO	
<b>Total</b>	<b>0</b>		
<b>4. Elected &amp; Appointed Officials (10 points)</b>			
a. Board member information (3.33 pts)	1.25	<a href="https://wpfd.net/contact/">https://wpfd.net/contact/</a>	Names only. Suggest adding contact info, terms of office, compenstion, small bios Suggest adding link to County website to exact page for appointment processes.
b. Election procedures/deadlines (3.33 pts)	0	NO	
c. Reimbursement/Compensation policy (3.33 pts)	0	NO	
<b>Total</b>	<b>1</b>		
<b>5. Administrative Officials (10 points)</b>			
a. General Manager and Key Staff Information (5 pts)	1.25	<a href="https://wpfd.net/contact/">https://wpfd.net/contact/</a>	Names only. Suggest adding contact info, compenstion, & benefits. Suggest a link to publicpay.ca.gov with specific page for District.
b. Reimbursement/compensation policy (5 pts)	0	NO	
<b>Total</b>	<b>1.25</b>		
<b>6. Audits (10 points)</b>			
a. Current audit? (5 pts)	0	NO	
b. Last 3 years? (5 pts)	0	NO	
<b>Total</b>	<b>0</b>		
<b>7. Contracts (10 points)</b>			
a. Current RFPs? (3.33 pts)	0	NO	
b. Submittal Instructions? (3.33 pts)	0	NO	
c. Approved Contracts? (3.33 pts)	0	NO	
<b>Total</b>	<b>0</b>		
<b>8. Public Records (10 points)</b>			
a. Request form? (10 pts)	0	NO	
<b>Total</b>	<b>0</b>		
<b>9. Revenue Sources (10 points)</b>			
a. Summary of Fees (5 pts)	0	NO	
b. Summary of Revenue Sources (5 pts)	0	NO	
<b>Total</b>	<b>0</b>		
<b>10. Agency Specific Criteria: Special Districts (10 points)</b>			
a. Authorizing statute/enabling act (5 pts)	0	NO	
b. Board ethics training certificates (5 pts)	0	NO	
<b>Total</b>	<b>0</b>		
<b>Total Score</b>	<b>5</b>	B-33	



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**TITLE 5. LOCAL AGENCIES [50001 - 57607]** ( Title 5 added by Stats. 1949, Ch. 81. )

**DIVISION 2. CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 55821]** ( Division 2 added by Stats. 1949, Ch. 81. )

**PART 1. POWERS AND DUTIES COMMON TO CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 54999.7]** ( Part 1 added by Stats. 1949, Ch. 81. )

**CHAPTER 1. General [53000 - 53170]** ( Chapter 1 added by Stats. 1949, Ch. 81. )

**ARTICLE 4. Miscellaneous [53060 - 53087.8]** ( Article 4 added by Stats. 1951, Ch. 522. )

**53087.8.** (a) (1) Except as provided in subdivision (b), beginning on January 1, 2020, every independent special district, as defined in Section 56044, shall maintain an Internet Web site.

(2) The Internet Web site required by paragraph (1) shall conform to any other provisions of law applicable to the Internet Web site of the district, including, but not limited to, Sections 6270.5, 53893, 53908, and 54954.2 of this code, and Section 32139 of the Health and Safety Code.

(3) The Internet Web site required by paragraph (1) shall clearly list contact information for the independent special district.

(b) (1) An independent special district shall be exempt from subdivision (a) if, pursuant to a majority vote of its governing body at a regular meeting, the district adopts a resolution declaring its determination that a hardship exists that prevents the district from establishing or maintaining an Internet Web site.

(2) A resolution adopted pursuant to this subdivision shall include detailed findings, based upon evidence set forth in the minutes of the meeting, supporting the board's determination that a hardship prevents the district from establishing or maintaining an Internet Web site. The findings may include, but shall not be limited to, inadequate access to broadband communications network facilities that enable high-speed Internet access, significantly limited financial resources, or insufficient staff resources.

(3) A resolution adopted pursuant to this subdivision shall be valid for one year. In order to continue to be exempt from subdivision (a), the governing body of an independent special district shall adopt a resolution pursuant to this subdivision annually so long as the hardship exists.

(Added by Stats. 2018, Ch. 408, Sec. 3. (SB 929) Effective January 1, 2019.)

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**TITLE 1. GENERAL [100 - 7914]** ( Title 1 enacted by Stats. 1943, Ch. 134. )

**DIVISION 7. MISCELLANEOUS [6000 - 7599.2]** ( Division 7 enacted by Stats. 1943, Ch. 134. )

**CHAPTER 3.5. Inspection of Public Records [6250 - 6276.48]** ( Chapter 3.5 added by Stats. 1968, Ch. 1473. )

**ARTICLE 1. General Provisions [6250 - 6270.7]** ( Article 1 heading added by Stats. 1998, Ch. 620, Sec. 1. )

**6270.5.** (a) In implementing this chapter, each local agency, except a local educational agency, shall create a catalog of enterprise systems. The catalog shall be made publicly available upon request in the office of the person or officer designated by the agency's legislative body. The catalog shall be posted in a prominent location on the local agency's Internet Web site, if the agency has an Internet Web site. The catalog shall disclose a list of the enterprise systems utilized by the agency and, for each system, shall also disclose all of the following:

- (1) Current system vendor.
  - (2) Current system product.
  - (3) A brief statement of the system's purpose.
  - (4) A general description of categories or types of data.
  - (5) The department that serves as the system's primary custodian.
  - (6) How frequently system data is collected.
  - (7) How frequently system data is updated.
- (b) This section shall not be interpreted to limit a person's right to inspect public records pursuant to this chapter.
- (c) For purposes of this section:
- (1) "Enterprise system" means a software application or computer system that collects, stores, exchanges, and analyzes information that the agency uses that is both of the following:
    - (A) A multidepartmental system or a system that contains information collected about the public.
    - (B) A system of record.
  - (2) "System of record" means a system that serves as an original source of data within an agency.
  - (3) An enterprise system shall not include any of the following:
    - (A) Information technology security systems, including firewalls and other cybersecurity systems.
    - (B) Physical access control systems, employee identification management systems, video monitoring, and other physical control systems.
    - (C) Infrastructure and mechanical control systems, including those that control or manage street lights, electrical, natural gas, or water or sewer functions.
    - (D) Systems related to 911 dispatch and operation or emergency services.
    - (E) Systems that would be restricted from disclosure pursuant to Section 6254.19.
    - (F) The specific records that the information technology system collects, stores, exchanges, or analyzes.
- (d) Nothing in this section shall be construed to permit public access to records held by an agency to which access is otherwise restricted by statute or to alter the process for requesting public records, as set forth in this chapter.
- (e) If, on the facts of the particular case, the public interest served by not disclosing the information described in paragraph (1) or (2) of subdivision (a) clearly outweighs the public interest served by disclosure of the record, the local agency may instead provide a system name, brief title, or identifier of the system.
- (f) The local agency shall complete and post the catalog required by this section by July 1, 2016, and thereafter shall update the catalog annually.

(Added by Stats. 2015, Ch. 795, Sec. 2. (SB 272) Effective January 1, 2016.)





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**PART 1. POWERS AND DUTIES COMMON TO CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 54999.7]** ( Part 1 added by Stats. 1949, Ch. 81. )

**CHAPTER 4. Financial Affairs [53600 - 53997]** ( Chapter 4 added by Stats. 1949, Ch. 81. )

**ARTICLE 9. Financial Reports [53890 - 53897]** ( Article 9 added by Stats. 1949, Ch. 1521. )

**53890.** As used in this article, "local agency" means any city, county, any district, and any community redevelopment agency required to furnish financial reports pursuant to Section 12463.1 or 12463.3.

(Amended (as amended by Stats. 1984, Ch. 1523) by Stats. 1990, Ch. 1608, Sec. 4.)

**53891.** (a) The officer of each local agency who has charge of the financial records shall furnish to the Controller a report of all the financial transactions of the local agency during the preceding fiscal year. The report shall contain underlying data from audited financial statements prepared in accordance with generally accepted accounting principles, if this data is available. The report shall be furnished within seven months after the close of each fiscal year and shall be in the form required by the Controller. A local agency shall submit to the Controller information on annual compensation, as described in subdivision (l) of Section 53892, for the previous calendar year no later than April 30th.

(b) The Controller shall prescribe uniform accounting and reporting procedures that shall be applicable to all local agencies except cities, counties, and school districts, and except for local agencies that substantially follow a system of accounting prescribed by the Public Utilities Commission of the State of California or the Federal Energy Regulatory Commission. The procedures shall be adopted under Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2. The Controller shall prescribe the procedures only after consultation with and approval of a local governmental advisory committee established pursuant to Section 12463.1. Approval of the procedures shall be by majority vote of the members present at a meeting of the committee called by the chairperson thereof.

(Amended by Stats. 2015, Ch. 37, Sec. 2. (AB 341) Effective January 1, 2016.)

**53891.1.** In lieu of the report required in Section 53891, hospital districts may submit to the Controller copies of any annual financial reports which the hospitals are required to submit to the California Health Facilities Commission or any portion thereof acceptable to the Controller, together with any supplemental report containing additional information as required by the Controller.

(Added by Stats. 1983, Ch. 1077, Sec. 3.)

**53892.** The report shall state all of the following:

- (a) The aggregate amount of taxes levied and assessed against the taxable property in the local agency, which became due and payable during the next preceding fiscal year.
- (b) The aggregate amount of taxes levied and assessed against this property collected by or for the local agency during the fiscal year.
- (c) The aggregate income during the preceding fiscal year, a general statement of the sources of the income, and the amount received from each source.
- (d) The total expenditures made by administrative departments during the preceding fiscal year, a general statement of the purposes of the expenditures, and the amounts expended by each department.

(e) The assessed valuation of all of the taxable property in the local agency as set forth on the assessment roll of the local agency equalized for the fiscal year, or, if the officers of the county in which the city or district is situated have collected for the city or district the general taxes levied by the city or district for the fiscal year, the assessed valuation of all taxable property in the city or district as set forth on the assessment rolls for the county equalized for the fiscal year.

(f) The information required by Section 53892.2, as of the end of the fiscal year.

(g) The approximate population at the close of the fiscal year and the population as shown by the last regular federal census.

(h) Other information that the Controller requires.

(i) Any other matters necessary to complete and keep current the statistical information on assessments, revenues, and taxation, collected and compiled by any Senate or Assembly committee on revenue and taxation.

(j) In the case of cities, the information required by Section 53892.3.

(k) In the case of community redevelopment agencies, the information required by subdivisions (a), (b), and (g) of Section 33080.1 of the Health and Safety Code. The Controller shall forward the information required pursuant to subdivision (c) of Section 33080.1 of the Health and Safety Code to the Department of Housing and Community Development for publication pursuant to Section 33080.6 of that code.

(l) The annual compensation of a local agency's elected officials, officers, and employees in accordance with reporting instructions developed by the Controller pursuant to Section 53891 in consultation with affected local agencies. This subdivision shall not apply to a federal officer or employee serving in an official federal capacity in a local agency.

*(Amended by Stats. 2014, Ch. 894, Sec. 2. (AB 2040) Effective January 1, 2015.)*

**53892.1.** For the purpose of permitting the compilation of the financial transactions of school districts by the Controller as required by Section 12463, the Superintendent of Public Instruction shall make available to the Controller, on an as-needed basis and in the time, manner, and format as prescribed by the Controller, data and other matters required by this article by the Controller. The Superintendent shall derive the data and other matters required for purposes of this article by the Controller from reports furnished by school districts or by county officials to the Superintendent as provided by law. No school district or county superintendent of schools shall be required to furnish separate reports to the Controller by the provisions of this article. The Superintendent shall furnish average daily attendance or enrollment data in lieu of the general population data required of counties and other municipal corporations by this article. The Superintendent shall add to the report forms furnished by him or her items or other matters as may be agreed by the Superintendent and the Controller to be needed for the purposes of this article.

*(Amended by Stats. 2012, Ch. 330, Sec. 12. (SB 1090) Effective January 1, 2013.)*

**53892.2.** Pursuant to Section 53892, the report shall also contain the following information:

(a) For all issues of general obligation bonds, revenue bonds, improvement district bonds, limited obligation bonds, and special assessment bonds state:

(1) The purpose of the bonds.

(2) The amount of issued and unmatured bonds.

(3) The amount of any delinquent principal and interest payments which are due upon issued and matured bonds.

(4) The amount of authorized but unissued bonds.

(b) For each issue of general obligation bonds and improvement district bonds where the revenues of any revenue-producing enterprise have been pledged as additional security for such bonds, state the nature and extent of such pledge.

(c) For each issue of revenue bonds where any income, other than the revenues of the enterprise financed by said revenue bonds, has been pledged as additional security for said bonds, state the nature and extent of such pledge.

(d) For each issue of improvement district bonds state the assessed valuation of all taxable property in such improvement district, determined in the manner provided in subdivision (e) of Section 53892.

(e) For each issue of limited obligation bonds, state the nature and source of taxes from which principal and interest is payable.

(f) For special assessment bonds which are payable, directly or indirectly, from any source other than special assessments, state the nature and extent of such sources.

(g) For all lease-obligations state:

- (1) The purpose of the lease-obligation.
- (2) The nature of the lease-obligation, whether by lease, contract, or otherwise, and the parties thereto.
- (3) The person, partnership, corporation, legal entity or governmental agency providing any moneys expended for making any acquisition or improvement authorized or required for the purpose of such lease-obligation.
- (4) The total future rentals or other payments which would be required if the local agency completed the unexpired term of the lease-obligation.

(h) For construction financed by the United States or the State of California pursuant to a contract with, or a loan or grant to, the local agency:

- (1) The date or purpose of the contract or grant.
- (2) The maximum repayment obligation under the contract, and the amount expended by the United States or the State of California to date.
- (3) The estimated payment schedule.
- (4) The payments to date and delinquencies, if any.

The following definitions shall apply to this section:

"Bonds" means all bonds, warrants, notes or other evidences of indebtedness or liability for which the reporting local agency is liable for payment of principal and interest thereon.

"General obligation bonds" means bonds payable, both principal and interest, from the proceeds of ad valorem taxes or ad valorem assessments which may be levied within the entire territory of the local agency, without limitation as to rate or amount, upon all property subject to taxation or assessment.

"Revenue bonds" means bonds issued by a local agency payable, both principal and interest, from the revenues of a revenue-producing enterprise.

"Improvement district bonds" means bonds payable, both principal and interest, from the proceeds of ad valorem taxes or ad valorem assessments which may be levied within a fixed and defined portion or portions of the local agency, without limitation as to rate or amount, upon all property subject to taxation or assessment.

"Limited obligation bonds" means any bonds payable, both principal and interest, from any taxes, other than taxes or assessments levied upon property.

"Special assessment bonds" means any bonds issued to represent unpaid assessments upon lands in an area fixed and defined by the local agency, the lands within such area being specially benefited by and assessed or to be assessed to pay the costs and expenses of a public acquisition or improvement.

"Lease-obligations" means (i) leases for a term of more than 10 years under which the local agency is the lessee and has the right, by option or otherwise, to acquire ownership of the property leased or (ii) contracts whereby a local agency is obligated to make installment payments for a period of more than 10 years for an acquisition or improvement, such payments being made from a special fund, provided, that revenue bonds or any contract, indenture, resolution or ordinance providing for the issuance of revenue bonds shall not be deemed a lease-obligation.

The information required by this section shall be submitted in such form and detail as may be prescribed by the uniform reporting procedures adopted pursuant to Section 53891.

*(Added by Stats. 1967, Ch. 1138.)*

**53892.3.** Pursuant to Section 53892, the report shall, in the case of cities, also contain the following information:

- (a) Total expenditures made during the next preceding fiscal year for the construction of public projects other than streets and highways.
- (b) The total amount expended pursuant to competitive bidding during the next preceding fiscal year for the construction of public projects other than streets and highways.

The Legislature declares that in enacting this section there is no express or implied obligation on the part of cities to include costs of administrative overhead or any costs other than those directly expended for construction of public projects.

*(Added by Stats. 1969, Ch. 212.)*

**53893.** Upon the completion of the report the legislative body shall either post it in a conspicuous location on its Internet Web site, or cause copies of the report to be prepared and the clerk of the legislative body shall furnish a

copy to any person requesting it. A charge not to exceed twenty-five cents (\$0.25) for each copy may be imposed.

*(Amended by Stats. 2015, Ch. 37, Sec. 3. (AB 341) Effective January 1, 2016.)*

**53894.** An officer of a local agency wilfully and knowingly rendering a false report is guilty of a misdemeanor.

*(Added by Stats. 1949, Ch. 1521.)*

**53895.** (a) An officer of a local agency who fails or refuses to make and file his or her report within 20 days after receipt of a written notice of the failure from the Controller shall forfeit to the state:

(1) One thousand dollars (\$1,000), in the case of a local agency with total revenue, in the prior year, of less than one hundred thousand dollars (\$100,000), as reported in the Controller's annual financial reports.

(2) Two thousand five hundred dollars (\$2,500) in the case of a local agency with total revenue, in the prior year, of at least one hundred thousand dollars (\$100,000) but less than two hundred fifty thousand dollars (\$250,000), as reported in the Controller's annual financial reports.

(3) Five thousand dollars (\$5,000) in the case of a local agency with total revenue, in the prior year, of at least two hundred fifty thousand dollars (\$250,000), as reported in the Controller's annual financial reports.

(b) (1) Upon the request of the Controller, the Attorney General shall prosecute an action for the forfeiture in the name of the people of the State of California.

(2) Upon a satisfactory showing of good cause, the Controller may waive the penalties for late filing provided in this section.

*(Amended by Stats. 2003, Ch. 86, Sec. 3. Effective January 1, 2004.)*

**53895.5.** (a) An officer of a community redevelopment agency who fails or refuses to make and file his or her report within 20 days after receipt of a written notice of the failure from the Controller shall forfeit to the state:

(1) One thousand dollars (\$1,000) in the case of a community redevelopment agency with total revenue, in the prior year, of less than one hundred thousand dollars (\$100,000), as reported in the Controller's annual financial reports.

(2) Two thousand five hundred dollars (\$2,500) in the case of a community redevelopment agency with total revenue, in the prior year, of at least one hundred thousand dollars (\$100,000), but less than two hundred fifty thousand dollars (\$250,000), as reported in the Controller's annual financial reports.

(3) Five thousand dollars (\$5,000) in the case of a community redevelopment agency with total revenue, in the prior year, of at least two hundred fifty thousand dollars (\$250,000), as reported in the Controller's annual financial reports.

(b) An officer of a community redevelopment agency who fails or refuses to make and file his or her report within 20 days after receipt of a written notice of the failure from the Controller in the second or more consecutive year shall forfeit to the state:

(1) Two thousand dollars (\$2,000) in the case of a community redevelopment agency with total revenue, in the prior year, of less than one hundred thousand dollars (\$100,000), as reported in the Controller's annual financial reports.

(2) Five thousand dollars (\$5,000) in the case of a community redevelopment agency with total revenue, in the prior year, of at least one hundred thousand dollars (\$100,000), but less than two hundred fifty thousand dollars (\$250,000), as reported in the Controller's annual financial reports.

(3) Ten thousand dollars (\$10,000) in the case of a community redevelopment agency with total revenue, in the prior year, of at least two hundred fifty thousand dollars (\$250,000), as reported in the Controller's annual financial reports.

(c) In the case of a community redevelopment agency that fails or refuses to make and file its report within 20 days after receipt of a written notice of the failure from the Controller in the third or more consecutive year, the Controller shall conduct or cause to be conducted an independent financial audit report consistent with the requirements of Section 33080.1 of the Health and Safety Code. The community redevelopment agency shall reimburse the Controller for the cost of complying with this subdivision. The community redevelopment agency shall not use any of the funds in the Low and Moderate Income Housing Fund to reimburse the Controller.

(d) (1) Upon the request of the Controller, the Attorney General shall prosecute an action for the forfeiture in the name of the people of the State of California.

(2) Upon a satisfactory showing of good cause, the Controller may waive the penalties for late filing provided in this

section.

(e) A community redevelopment agency that makes a forfeiture or payment pursuant to this section shall still file the report required pursuant to Section 53891.

*(Amended by Stats. 2004, Ch. 183, Sec. 174. Effective January 1, 2005.)*

**53895.7.** (a) For the purpose of this section, "agency" means any agency or entity formed pursuant to the Joint Exercise of Powers Act (Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1) that issues conduit revenue bonds.

(b) An officer of an agency who fails or refuses to make and file his or her report pursuant to this article within 20 days after receipt of a written notice of the failure from the Controller shall forfeit to the state:

(1) One thousand dollars (\$1,000) in the case of an agency with total revenue, in the prior year, of less than one hundred thousand dollars (\$100,000), as reported in the Controller's annual financial reports.

(2) Two thousand five hundred dollars (\$2,500) in the case of an agency with total revenue, in the prior year, of at least one hundred thousand dollars (\$100,000), but less than two hundred fifty thousand dollars (\$250,000), as reported in the Controller's annual financial reports.

(3) Five thousand dollars (\$5,000) in the case of an agency with total revenue, in the prior year, of at least two hundred fifty thousand dollars (\$250,000), as reported in the Controller's annual financial reports.

(c) An officer of an agency who fails or refuses to make and file his or her report within 20 days after receipt of a written notice of the failure from the Controller in the second or more consecutive year shall forfeit to the state:

(1) Two thousand dollars (\$2,000) in the case of an agency with total revenue, in the prior year, of less than one hundred thousand dollars (\$100,000), as reported in the Controller's annual financial reports.

(2) Five thousand dollars (\$5,000) in the case of an agency with total revenue, in the prior year, of at least one hundred thousand dollars (\$100,000), but less than two hundred fifty thousand dollars (\$250,000), as reported in the Controller's annual financial reports.

(3) Ten thousand dollars (\$10,000) in the case of an agency with total revenue, in the prior year, of at least two hundred fifty thousand dollars (\$250,000), as reported in the Controller's annual financial reports.

(d) In the case of an agency that fails or refuses to make and file its report within 20 days after receipt of a written notice of the failure from the Controller in the third or more consecutive year, the Controller shall conduct, or cause to be conducted, an independent financial audit report consistent with the requirements of Section 6505. The agency shall reimburse the Controller for the cost of complying with this subdivision.

(e) (1) Upon the request of the Controller, the Attorney General shall prosecute an action for the forfeiture in the name of the people of the State of California.

(2) Upon a satisfactory showing of good cause, the Controller may waive the penalties for late filing provided in this section.

(f) An agency that makes a forfeiture or payment pursuant to this section shall still file the report required pursuant to Section 53891.

*(Added by Stats. 2009, Ch. 557, Sec. 6. (SB 99) Effective January 1, 2010.)*

**53896.** An officer of a local agency wilfully refusing to make such a report is guilty of a misdemeanor.

*(Added by Stats. 1949, Ch. 1521.)*

**53897.** Whenever, under the provisions of Section 12463.1, reports of financial transactions are required to be furnished to the Controller from districts which make comprehensive annual financial reports to the State Treasurer, the provisions of this article shall be satisfied if a copy of the report to the State Treasurer is furnished to the Controller within the time limits specified herein.

*(Amended by Stats. 1971, Ch. 214.)*



**GOVERNMENT CODE - GOV**

**TITLE 5. LOCAL AGENCIES [50001 - 57607]** (*Title 5 added by Stats. 1949, Ch. 81.*)

**DIVISION 2. CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 55821]** (*Division 2 added by Stats. 1949, Ch. 81.*)

**PART 1. POWERS AND DUTIES COMMON TO CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 54999.7]** (*Part 1 added by Stats. 1949, Ch. 81.*)

**CHAPTER 4. Financial Affairs [53600 - 53997]** (*Chapter 4 added by Stats. 1949, Ch. 81.*)

**ARTICLE 10.5. Local Agency Internet Posting of Financial Information [53908- 53908.]** (*Article 10.5 added by Stats. 2014, Ch. 894, Sec. 3.*)

**53908.** (a) If a local agency, that is required to report to the Controller under Section 53891, maintains an Internet Web site, it shall post, in a conspicuous location on its Internet Web site, information on the annual compensation of its elected officials, officers, and employees that is submitted to the Controller under Section 53891.

(b) A local agency may comply with subdivision (a) by posting, in a conspicuous location on its Internet Web site, a link to the Controller's Government Compensation in California Internet Web site.

(*Added by Stats. 2014, Ch. 894, Sec. 3. (AB 2040) Effective January 1, 2015.*)


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### CHAPTER 9. Meetings [54950 - 54963]

 (*Chapter 9 added by Stats. 1953, Ch. 1588.*)

**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 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 Web site, 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 Web site, the following provisions shall apply:

(A) An online posting of an agenda shall be posted on the primary Internet Web site homepage 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 Web site 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 Web site homepage 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 Web site 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) For the purposes of this paragraph, both of the following definitions shall apply:

(i) "Integrated agenda management platform" means an Internet Web site 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) "Legislative body" has the same meaning as that term is used in 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 his or her 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 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.

*(Amended by Stats. 2016, Ch. 265, Sec. 1. (AB 2257) Effective January 1, 2017.)*