

# *prentice*|LONG<sup>PC</sup>



*prentice*|LONG<sup>PC</sup> -  
a law firm founded on  
the principle of service.



## FINALLY FALL!

Fall has finally arrived; the heat of summer is receding in our memory and the leaves are turning to red and gold. Fall can be a time of melancholy, but not at PLPC. *prentice*|LONG<sup>PC</sup> is very excited about the future. We continue to grow and serve our clients in a manner consistent with our vision and stated purpose. PLPC “is a firm founded on the principle of service.”

The evidence of this ethic was recently revealed to us when a matter affecting one of our city clients required superb teamwork to address. The city was sued by another agency which sought a temporary restraining order against the city with no real notice to the city. In response, PLPC responded as a team with multiple attorneys dividing the work and staff members stepping in to assist. Within a day, the firm was able to file a writ with the court of appeal which resulted in a stay of a problematic order. Truly, this was a stellar result which was made possible by dedicated professionals, attorneys and staff alike, whose only goal was to help the client.

If you are a member of the PLPC family of clients, know that we are really there for you, whatever it takes. Enjoy the cooling weather, it is a treat!

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# The Brown Act and SB 2449

By: Jill Villalobos, Paralegal

In our last article about updates being made to The Brown Act, we talked about SB 1100. (If you missed it, you can find it here, [What is Senate Bill No. 1100? \(prenticelongs.com\)](https://www.prenticelongs.com/what-is-senate-bill-no-1100/)). SB 1100 allows for the removal of disruptive individuals during public meetings. The latest change will go into effect on January 1, 2023, and is known as Assembly Bill 2449 (AB 2449).

Originally, The Brown Act required the meeting agenda of a public meeting to:

- 1.) Identify each teleconference location,
- 2.) Be posted at all teleconference locations,
- 3.) Allow the public access to each location.

This became a serious problem during the COVID-19 pandemic when all legislative members were joining from their homes via Zoom. As it currently reads, members of the public would be allowed to enter the homes of legislative bodies and join the meeting. That's when AB 361 was passed, making an exception to those requirements, but only during a gubernatorial-declared state of emergency.

Under such emergency, the officials and members would not be required to identify their home addresses on the agenda, nor would they be required to allow the public to enter their homes. As AB 361 has an end date of January 1, 2024, what happens after that? What does that mean for those who are unable to attend in person for other reasons? Would they be expected to post the agenda outside their home and allow members of the public in?

That's where AB 2449 comes in. This bill allows the exceptions mentioned above to remain permanent during a state of emergency, and also allows for additional exceptions, with a few conditions. If one is unable to attend the meeting in person due to "just cause" or an "emergency circumstance," they would be able to attend remotely without posting the agenda or allowing others to attend from the same location. "Just cause" includes childcare, or caregiving of a child, parent, grandparent,



grandchild, sibling, spouse, or domestic partner. An emergency circumstance includes a physical or family medical emergency that prevents one from attending in person. It is good to keep in mind that an official may only appear remotely due to "just cause" twice per calendar year. Members may appear remotely for no more than three consecutive months or 20% of the regular meetings within a calendar year.

If you need to appear remotely, you must notify the legislative body as soon as possible along with your reason for needing to appear remotely. At the meeting, you should also be prepared to announce the general reason for remote appearance (no more than 20 words), and disclose if there is anyone else in the room over the age of 18 and your relationship to said person if action will be taken on an item.

Similarly, the legislative body may use teleconferencing without identifying each teleconference location IF there is at least a quorum (the minimum number of members that must be present to make the proceedings of the meeting valid) at a single location, within the legislative body's jurisdiction.

The body must also provide the public with access to the meeting, for example via Zoom or another webcasting platform, and it must be included on the posted agenda. In addition, the public must have an opportunity to address the legislative body in real-time and are not required to submit their comments before the meeting. Furthermore, if there is a disruption that prevents either the meeting from being broadcast, or the members from offering public comment, the legislative body cannot take further action on the agenda items until access is restored.

Alternately, legislative bodies are always welcome to meet via teleconference, but they must follow the rules of The Brown Act and identify, post, and open all locations to the public.



## How to Find an Advantageous Solution for Rehabilitating Dilapidated Properties in Your Community

By Gretchen Dugan, Legal Assistant

Hoarders. Slumlords. Drug houses. Deceased property owners without an heir. Unfortunately every county must, at one time or another, deal with these types of dangerous properties. When your special district is at its wits end with trying to remedy an abandoned property, what is the most productive measure to take? Simply put: a receivership.

Under California Health and Safety Code sections 17980.6 and 17980.7, your city is allowed to obtain judicial approval to appoint a receiver to orchestrate the rehabilitation of a dangerous property. Typically, the appointment of a receiver is a drastic approach, but also one that can bring abandoned properties back into productive use, as well as generate revenue.

What are the duties of a receiver? A receiver is a neutral agent of the court who must act in the best interest of all parties in order to abate dangerous conditions at a property. The best part is that a receiver cannot be paid by the city or any other party, which means the receivership costs nothing. The receiver must submit monthly reports to the court for all parties to review.

By appointing a receiver to rehabilitate these dangerous properties, your city will recover money not only by adding new housing stock back into the community, but also by increasing property tax revenue. Dangerous properties that might have been sitting stagnate for years can now supply collateral advantages for your community by being brought back into productive use by a receivership.

If your district is interested in improving the community through the receivership process, please contact our office at **530.691.0800** for further details.



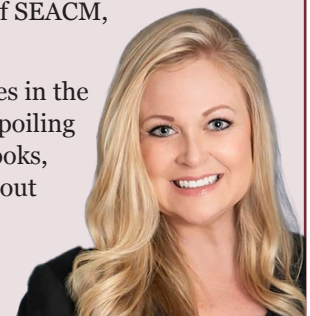
## SPOTLIGHT - Jill Villalobos, Paralegal

*prentice|LONG pc* would like to introduce Jill Villalobos who joined our legal team in July of 2022. Ms. Villalobos assists in preparing cases for litigation (i.e., conducts legal research and drafts pleadings) as well as develops ordinances and conducts impartial analyses for measures on the ballot. Prior to joining *prentice|LONG pc*, Ms. Villalobos worked at a title and escrow office providing support to various law firms. It was at the escrow office where Ms. Villalobos realized her desire to enter the legal field.

Ms. Villalobos received her Bachelor of Arts degree in Political Science from California State University, Chico in 2006. In 2022, she graduated from the University of San Diego, School of Law Paralegal Program with honors. Ms. Villalobos is a California Commissioned Notary Public and a Board Member of SEACM, a non-profit organization that supports immigrants and refugees in Northern California.

Originally from the Coachella Valley in Southern California, Ms. Villalobos currently resides in the greater Redding area with her family, where she can be found coaching youth soccer and spoiling her Cavapoo, Bridgette. Ms. Villalobos loves reading, exploring book stores for vintage books, and traveling and scuba diving around the world. She enjoys indoor gardening and has about 40 indoor plants, a favorite being the rare Pink Princess Philodendron.

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## NEWS

**CALPELRA**  
moving forward, together

### PLEASE JOIN FOUNDING PARTNERS

**Margaret E. Long and David A. Prentice**

for their *Now What?* presentation at the CalPELRA Conference

**Thursday, November 17 | 2:30 pm - 3:30 pm**

## Now What?

### What Needs to be Done After an Investigation Report is Issued

By Margaret Long, Partner

Jurisdictions spend a lot of time and money conducting personnel investigations, but it is not always clear what should be done when the final report is issued. In this session you will learn how to ensure that the final report is legally sufficient and, if necessary, the proper ways to address deficiencies. You will also learn how to close the investigation and issue the closing notices, including to law enforcement officials. You will learn how to determine appropriate discipline and other remedial measures, such as policy improvement, mitigation of litigation, and integration of the employees back into the office setting. Finally, you will learn about those

topics that often get ignored, such as attorney/client privilege, confidentiality and disclosure to the public. You will leave this session knowing exactly what to do after the reports are received and prior to filing them away for good (hopefully).

Also, don't forget that if you would like PLPC to conduct an in-person or online training to contact us for available dates. Our list of recent trainings can be found at:

<https://www.prenticelongpc.com/municipal-law/training-manuals>

### MORE NEWS

We update our website news section on a monthly basis, click [here](#) to see what else is going on with *prentice|LONG* PC.