



## **PUBLIC SAFETY COMMITTEE MEETING AGENDA**

**MONDAY, FEBRUARY 9, 2026**

**9:00 a.m.**

**Coachella Valley Water District  
Steve Robbins Administration Building Training Room  
7515 Hovley Lane East  
Palm Desert, CA 92260**

Members of the public may use the following link for listening access and ability to address the Public Safety Committee when called upon:

<https://us02web.zoom.us/j/82736053384?pwd=qZYWxg06R6H6wrCa4gFpNJZlkXpV3O.1>

**Dial In: +1 669 900 9128  
Webinar ID: 827 3605 3384  
Password: 661396**

**IF YOU ARE UNABLE TO CONNECT VIA DIAL IN OPTION, PLEASE CALL 760-346-1127**

Public comment is encouraged to be emailed to the Public Safety Committee meeting prior to the meeting at [cvag@cvag.org](mailto:cvag@cvag.org) by 5:00 p.m. on the day prior to the committee meeting. Members of the public joining the meeting by Zoom can also provide comment by using the "raise hand" feature or hitting \*9 on the phone keypad.

As a convenience to the public, CVAG provides a call-in and internet-based option for members of the public to virtually observe and provide public comments at its meetings. Please note that, in the event of a technical issue disrupting the call-in or internet-based options, the meeting will continue unless otherwise required by law.

**THIS MEETING IS HANDICAPPED ACCESSIBLE.  
ACTION MAY RESULT ON ANY ITEMS ON THIS AGENDA.**

**UNLESS OTHERWISE STATED, ALL ACTION ITEMS WILL BE PRESENTED TO THE  
EXECUTIVE COMMITTEE FOR FINAL APPROVAL.**

1. **CALL TO ORDER** – Chair Joseph Mirelez, Tribal Chair, Torres Martinez Desert Cahuilla Indians

Roll Call  
Pledge of Allegiance  
Agenda Modifications  
Conflict of Interest Disclosure

P4

2. **PUBLIC COMMENTS ON AGENDA ITEMS**

This is the first of two opportunities for public comment. Any person wishing to address the Public Safety Committee on items appearing on this agenda may do so at this time. At the discretion of the Chair, comments may be taken at the time items are presented. Please limit comments to three (3) minutes.

3. **CHAIR /COMMITTEE MEMBER/CVAG STAFF COMMENTS**

4. **EX-OFFICIO UPDATES**

5. **CONSENT CALENDAR**

- A. **Approve the minutes from the September 8, 2025, meeting of the Public Safety Committee**

P5

- B. **Adopt Resolution No. 2026-002-PS authorizing the CVAG Public Safety Committee, as an eligible multijurisdictional body, to utilize the teleconferencing provisions established under Senate Bill 707**

P9

- 5.1 **ITEMS HELD OVER FROM CONSENT CALENDAR**

6. **DISCUSSION/ ACTION**

- A. **Drone Deployment by Local Law Enforcement**

P11

1. **Use by the Blythe Police Department** – Community Service Officer Kelly Thomas
2. **Use by Palm Springs Police Department** – Police Lieutenant William Hutchinson

**Recommendation:** Information

- B. **Countywide and Statewide Efforts to Address Reoccurring 911 Outages in the Coachella Valley** – Grace Garner, Senior Legislative Analyst for Riverside County Supervisor V. Manuel Perez P13

**Recommendation:** Information

7. **INFORMATION**

- A. **Attendance Record** P27

- B. **Conflict of Interest Guidance** P28

8. **PUBLIC COMMENTS ON NON-AGENDA ITEMS**

This is the second opportunity for public comment. Any person wishing to address the Public Safety Committee on items of general interest within the purview of this Committee may do so at this time. Please limit comments to two (2) minutes.

9. **ANNOUNCEMENTS**

Upcoming Meetings:

The next meeting of the **Public Safety Committee** will be held on Monday, May 11, 2026, at 9:00 a.m. at the Palm Springs Police Department Training Center, 200 S. Civic Drive, Palm Springs, 92262.

The next meeting of the **Executive Committee** will be held on Monday, February 23, 2026, at 4:30 p.m. at the Coachella Valley Water District, Steve Robbins Administration Building Training Room, 75515 Hovley Lane East, Palm Desert, 92260.

10. **ADJOURNMENT**

**Item 1**

**Coachella Valley Association of Governments  
Public Safety Committee  
Member Roster  
2025-2026**



<b>Voting Members</b>	
City of Blythe	Vice Mayor Johnny Rodriguez
City of Cathedral City	Councilmember Rita Lamb
City of Coachella	Mayor Pro Tem Frank Figueroa
City of Desert Hot Springs	Councilmember Daniel Pitts
City of Indian Wells	Councilmember Dana Reed
City of Indio	Mayor Pro Tem Waymond Fermon
City of La Quinta	Councilmember John Peña
City of Palm Desert	Councilmember Karina Quintanilla – <b>VICE CHAIR</b>
City of Palm Springs	Councilmember Grace Garner
City of Rancho Mirage	Councilmember Eve Fromberg Edelstein
County of Riverside	Supervisor V. Manuel Perez
Torres Martinez Desert Cahuilla Indians	Tribal Chairman Joseph Mirelez – <b>CHAIR</b>
<b>Ex-Officio Members</b>	
Agua Caliente Band of Cahuilla Indians	Robert Bradbury, Emergency Services Manager
California Highway Patrol	David Efferson, Captain
Cathedral City Fire	Michael Contreras, Fire Chief
Cathedral City Police	Rick Sanchez, Acting Chief
Desert Hot Springs Police	Steve Shaw, Chief of Police
District Attorney's Office	Michael Hestrin, District Attorney
Indio Police	Brian Tully, Chief of Police
Palm Desert Sheriff Station	Jason Sexton, Captain
Palm Springs Fire	Paul Alvarado, Fire Chief
Palm Springs Police	Andrew Mills, Chief of Police
Riverside County Fire Department	Mike Beverlin, Deputy Chief
Riverside County Probation Department	Ron Miller, Chief Probation Officer
Riverside County Sheriff's Department	Sheriff Chad Bianco
Thermal Sheriff Station	Michael Bianco, Captain
U.S. Border Patrol	Gregory Bovino, Chief Patrol Agent

## **ITEM 5A**

### **Public Safety Committee Meeting Minutes September 8, 2025**



The audio file for this meeting can be found at: <http://www.cvag.org/audio.htm>

- 1. CALL TO ORDER** - The meeting was called to order by Chair Raymond Gregory, City of Cathedral City, at 9:01 a.m. at the Coachella Valley Water District Steve Robbins Administration Building Training Room, 75515 Hovely Lane, Palm Desert, 92260.
- 2. ROLL CALL** - Roll call was taken and it was determined that a quorum was present.

#### **Members Present**

City of Blythe	Vice Mayor Johnny Rodriguez
City of Cathedral City	Mayor Pro Tem Raymond Gregory, <i>Chair</i>
City of Desert Hot Springs	Councilmember Daniel Pitts
City of La Quinta	Councilmember John Peña
City of Palm Desert	Councilmember Eve Fromberg Edelstein
City of Palm Springs	Councilmember Grace Garner*
City of Rancho Mirage	Councilmember Karina Quintanilla
County of Riverside	Assistant CEO Michelle Paradise
Torres Martinez Desert Cahuilla Indians	Chair Joseph Mirelez

#### **Ex-Officio Members Present**

Cathedral City Fire	Fire Chief Michael Contreras
Cathedral City Police	Chief George Crum/Deputy Chief Rick Sanchez
Indio Police Department	Chief Brian Tully
Palm Desert Sheriff's Substation	Lieutenant Daniel Porras

#### **Members & Ex-Officios Not Present**

City of Coachella	Councilmember Frank Figueroa
City of Indian Wells	Councilmember Toper Taylor
City of Indio	Councilmember Waymond Fermon, <i>Vice Chair</i>
Agua Caliente Band of Cahuilla Indians	Emergency Services Manager Robert Bradbury
California Highway Patrol	Captain Michael Stefanoff
Desert Hot Springs Police	Chief of Police Steven Shaw
District Attorney's Office	Asst DA Rodney Tethal
Palm Springs Fire	Fire Chief Paul Alvarado
Palm Springs Police	Chief of Police Andrew Mills
Riverside County Fire	Deputy Chief Robert Fish
Riverside County Probation	Chief Probation Officer Christopher Wright
Riverside County Sheriff's Department	Sheriff Chad Bianco
Thermal Sheriff Station	Captain Michael Bianco
U.S. Customs and Border Patrol	Assistant Chief Patrol Agent David Kim

### **3. PLEDGE OF ALLEGIANCE**

Chair Gregory requested a moment of silence in honor of those who lost their lives in the tragedy of Sept. 11. He then led the Committee in the Pledge of Allegiance.

**4. PUBLIC COMMENTS ON AGENDA ITEMS**

None

**5. CHAIR / COMMITTEE MEMBER/CVAG STAFF COMMENTS**

Deputy Executive Director Erica Felci shared logistical details for the new meeting space and expressed appreciation to Coachella Valley Water District for their hospitality and generosity in providing a space for CVAG’s meetings.

**6. EX-OFFICIO COMMENTS**

City of Indio Chief of Police Brian Tully provided an update on CV Link within Indio, including how the police department is addressing issues related to transient activity and graffiti.

Cathedral City Chief of Police George Crum expressed his gratitude to CVAG and the CV Housing First program for their partnership and ongoing efforts, which have successfully helped 14 individuals secure permanent housing so far this year.

**7. CONSENT CALENDAR**

**A. Approve the minutes from the June 9, 2025, meeting of the Public Safety Committee**

**IT WAS MOVED BY TRIBAL CHAIR MIRELEZ AND SECONDED BY COUNCILMEMBER PENA TO APPROVE THE CONSENT CALENDAR.**

**THE MOTION CARRIED WITH 9 AYES AND 3 MEMBERS ABSENT**

<b>Vice Mayor Johnny Rodriguez</b>	<b>AYE</b>
<b>Mayor Pro Tem Raymond Gregory</b>	<b>AYE</b>
<b>Councilmember Frank Figueroa</b>	<b>ABSENT</b>
<b>Councilmember Daniel Pitts</b>	<b>AYE</b>
<b>Councilmember Toper Taylor</b>	<b>ABSENT</b>
<b>Councilmember Waymond Fermon</b>	<b>ABSENT</b>
<b>Councilmember John Peña</b>	<b>AYE</b>
<b>Councilmember Karina Quintanilla</b>	<b>AYE</b>
<b>Councilmember Grace Garner</b>	<b>AYE</b>
<b>Councilmember Eve Fromberg Edelstein</b>	<b>AYE</b>
<b>Assistant CEO Michelle Paradise</b>	<b>AYE</b>
<b>Tribal Chair Joseph Mirelez</b>	<b>AYE</b>

**8. DISCUSSION / ACTION**

**A. County Immigration Resources**

Grace Garner, Senior Legislative Analyst for Riverside County Supervisor V. Manuel Perez, presented a PowerPoint presentation highlighting county wide and local immigration resources available for those in need of them.

Member discussion ensued regarding resources.

No action was taken as this item was for informational purposes only.

**B. Regional Signal Synchronization and CV Sync’s Public Safety Benefits**

Program Manager Kris Gunterson presented the staff report detailing the signal synchronization pilot programs that are underway that aim to assist first responders in their commute times to calls for assistance.

Member discussion ensued with Mr. Gunterson answering questions from the Committee.

No action was taken as this item was for informational purposes only.

**C. Election of Public Safety Officers**

Ms. Felci opened the floor for nominations for Chair.

Councilmember Karina Quintanilla nominated Tribal Chair Joseph Mirelez for Chair. No other nominations were received.

**IT WAS MOVED BY COUNCILMEMBER QUINTANILLA AND SECONDED BY COUNCILMEMBER GARNER TO ELECT TRIBAL CHAIR JOSEPH MIRELEZ AS THE CHAIR FOR THE PUBLIC SAFETY COMMITTEE FOR FISCAL YEAR 2025-26**

Ms. Felci opened the floor for nominations for Vice Chair.

Tribal Chair Mirelez nominated Councilmember Quintanilla for Vice Chair. No other nominations were received.

**IT WAS MOVED BY TRIBAL CHAIR MIRELEZ AND SECONDED BY COUNCILMEMBER GARNER TO ELECT COUNCILMEMBER KARINA QUINTANILLA AS THE VICE CHAIR FOR THE PUBLIC SAFETY COMMITTEE FOR FISCAL YEAR 2025-26**

**THE MOTIONS CARRIED WITH 9 AYES AND 3 MEMBERS ABSENT**

<b>Vice Mayor Johnny Rodriguez</b>	<b>AYE</b>
<b>Mayor Pro Tem Raymond Gregory</b>	<b>AYE</b>
<b>Councilmember Frank Figueroa</b>	<b>ABSENT</b>
<b>Councilmember Daniel Pitts</b>	<b>AYE</b>
<b>Councilmember Toper Taylor</b>	<b>ABSENT</b>
<b>Councilmember Waymond Fermon</b>	<b>ABSENT</b>
<b>Councilmember John Peña</b>	<b>AYE</b>
<b>Councilmember Karina Quintanilla</b>	<b>AYE</b>
<b>Councilmember Grace Garner</b>	<b>AYE</b>

**Councilmember Eve Fromberg Edelstein**  
**Assistant CEO Michelle Paradise**  
**Tribal Chair Joseph Mirelez**

**AYE**  
**AYE**  
**AYE**

**9. INFORMATION** – The following item was provided for information only:

- A. Attendance Record**
- B. New location of CVAG’s public meetings**
- C. Countywide policy to address homeless encampments**
- D. Efforts to Address Reoccurring 911 Outages in the Coachella Valley**

**10. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

Bill Miller, representing 65check – Senior Call Check, addressed the Committee about a new program launching in the Coachella Valley to offer daily wellness checks for seniors through automated phone calls. The service is available to individuals who register, and more information can be found at [65check.org](http://65check.org).

**11. ANNOUNCEMENTS**

The next meeting of the **Public Safety Committee** will be held on Monday, November 10, 2025, at 9:00 a.m. at the Coachella Valley Water District, Steve Robbins Administration Building Training Room, 75515 Hovley Lane East, Palm Desert, 92260.

The next meeting of the **Executive Committee** will be held on Monday, September 29, 2025, at 4:30 p.m. at the Coachella Valley Water District, Steve Robbins Administration Building Training Room, 75515 Hovley Lane East, Palm Desert, 92260.

**12. ADJOURNMENT**

Chair Gregory adjourned the meeting at 9:37 a.m.

Respectfully submitted,

*Elysia Regalado*  
Deputy Clerk

## **ITEM 5B**

Coachella Valley Association of Governments  
Public Safety Committee  
February 9, 2026



### **STAFF REPORT**

**Subject:** Authorizing Use of SB 707 Teleconferencing Provisions

**Contact:** Elysia Regalado, Deputy Clerk ([eregalado@cvag.org](mailto:eregalado@cvag.org))

---

**Recommendation:** Adopt Resolution No. 2026-002-PS authorizing the CVAG Public Safety Committee, as an eligible multijurisdictional body, to utilize the teleconferencing provisions established under Senate Bill 707

**Background:** The California Legislature last year passed Senate Bill 707 (2024) to modernize the teleconferencing provisions of the Ralph M. Brown Act and establish updated rules for specific categories of legislative bodies, including eligible multijurisdictional bodies. SB 707 took effect on January 1, 2026, and its provisions are now available for use by qualifying agencies.

CVAG's committees qualify as eligible multijurisdictional bodies under SB 707 because their membership includes cities, the County of Riverside, and tribal governments. The legislation recognizes that regional agencies often include members who travel across multiple jurisdictions and therefore benefit from additional flexibility when participating remotely.

Adopting the proposed resolution will authorize the CVAG Public Safety Committee to use the teleconferencing flexibilities available under SB 707. These include exemptions that allow remote participation without posting a member's teleconference location, subject to certain limits. For the Public Safety Committee, this would mean members could use this option up to two meetings per calendar year. SB 707 requires that an eligible multijurisdictional body adopt a resolution in open session at a regular meeting before using these provisions.

Adoption of the resolution does not obligate CVAG to rely exclusively on SB 707. CVAG may continue using traditional Brown Act teleconferencing rules, with SB 707 serving as an additional option when appropriate. Implementing SB 707 will also support member participation, particularly for a regional body whose members travel, while maintaining full compliance with the Brown Act's public access and transparency requirements.

This is a one-time resolution that does not require periodic renewal. At the direction of CVAG's Legal Counsel, a separate resolution will be adopted for each CVAG committee, each assigned a unique resolution number to ensure accurate tracking and future reference. In addition to the resolution, staff has included further guidance on Brown Act changes and conflicts of interest as part of a separate, informational staff report.

**Fiscal Analysis:** There is no cost to adopt the resolution.

**Attachment:** Resolution 2026-002-PS

**RESOLUTION NO. 2026-002-PS**

**A RESOLUTION OF THE  
PUBLIC SAFETY COMMITTEE OF THE  
COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS  
AUTHORIZING THE USE OF TELECONFERENCING PURSUANT TO SENATE BILL 707  
FOR ELIGIBLE MULTIJURISDICTIONAL BODIES**

THE PUBLIC SAFETY COMMITTEE OF THE COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS DOES HEREBY FIND, RESOLVE, AND ORDER AS FOLLOWS:

**WHEREAS**, the Coachella Valley Association of Governments (CVAG) is a regional, multijurisdictional agency composed of cities, the County of Riverside, and tribal governments, and therefore qualifies as an *eligible multijurisdictional body* under the Ralph M. Brown Act, as amended by Senate Bill 707 (2024); and

**WHEREAS**, Senate Bill 707 modernizes the Ralph M. Brown Act's teleconferencing provisions and establishes specific teleconferencing flexibilities for eligible multijurisdictional bodies, including exemptions from certain traditional teleconference requirements; and

**WHEREAS**, Government Code section 54953.8.7 authorizes eligible multijurisdictional bodies to utilize these teleconferencing provisions upon adoption of a resolution in open session at a regular meeting of the body, and in compliance with other requirements contained in Government Code sections 54953.8 and 54953.8.7; and

**WHEREAS**, the Public Safety Committee desires to ensure that its members may utilize this teleconferencing method and participate remotely when appropriate, while maintaining full compliance with the Brown Act's public access and transparency requirements; and

**WHEREAS**, adopting this resolution will allow CVAG to implement the teleconferencing options available to eligible multijurisdictional bodies under SB 707, while continuing to provide meaningful public participation and access to meetings;

**NOW, THEREFORE, BE IT RESOLVED** as follows:

1. The Public Safety Committee of the Coachella Valley Association of Governments hereby authorizes the use of the teleconferencing provisions available to eligible multijurisdictional bodies under Government Code section 54953.8.7, as amended by Senate Bill 707 for meetings of the Public Safety Committee and other qualifying CVAG legislative bodies, as appropriate.

This resolution shall remain in effect unless and until amended or rescinded by the Public Safety Committee.

**PASSED AND ADOPTED** by the Public Safety Committee of the Coachella Valley Association of Governments, County of Riverside, State of California, on February 9, 2026.

By: \_\_\_\_\_  
Joseph Mirelez  
Public Safety Committee Chair

Witnessed By: \_\_\_\_\_  
Tom Kirk  
Executive Director

## **ITEM 6A**

**Coachella Valley Association of Governments  
Public Safety Committee  
February 9, 2026**



### **STAFF REPORT**

**Subject:** Drone Deployment by Local Law Enforcement

**Contact:** Erica Felci, Deputy Executive Director ([efelci@cvag.org](mailto:efelci@cvag.org)) and Jonathan Hoy, Director of Transportation ([jhoy@cvag.org](mailto:jhoy@cvag.org))

---

### **Recommendation: Information**

**Background:** Law enforcement agencies across the region are increasingly using drones as a way to provide support to the officers on the ground. Local police have noted that such drone use can assist officers during high-risk or inaccessible situations. It also can be a way for officers to get a visual assessment of a scene, particularly in helping track individuals if they attempt to flee.

At the February 2026 meeting, the Public Safety Committee will receive a two-part presentation on drone use by highlighting how this technology is being used along two long and linear routes.

First, the City of Blythe Police Department will highlight their efforts to patrol the Colorado River with the assistance of drones. The City has been using drones for about three years and currently have nine drones of various sizes being deployed. Kelly Thomas, Blythe Police's Community Service Officer and the Unmanned Aircraft Systems (UAS) Coordinator, will highlight how the drones have also been used throughout the City.

The Committee will next hear from Palm Springs Police Lieutenant William Hutchinson, who will highlight the City's partnership with CVAG on a pilot project to use drones as part of the patrolling of CV Link.

CVAG celebrated CV Link grand openings with member agencies in November 2025. CV Link represents a significant breakthrough in alternative transportation, offering a safe pathway for walking, running, biking, or using low-speed electric vehicles like golf carts. Spanning more than 40 miles across the Coachella Valley, the project typically features a dual-path structure: a wide concrete lane for cyclists and low-speed electric vehicles, alongside a narrower decomposed granite trail for pedestrians and runners. The on-street sections in Palm Springs and Palm Desert also feature a protected cycle track design, the first of its kind in the Coachella Valley. This initiative provides significant environmental, health, air quality, and economic benefits to residents and visitors.

CV Link was the largest active transportation project in California, and potentially the nation, when first launched by CVAG. Largely located along the Whitewater River/Coachella Valley Storm Water Channel, CV Link provides a safer alternative to walking and biking along the valley's high-speed roadways, where pedestrian and cyclist fatalities have occurred.

While CVAG led the planning, design, and construction of CV Link, maintenance and public safety enforcement involves collaboration with partner agencies, primarily including Palm Springs, Cathedral City, Palm Desert, La Quinta, Indio, and Coachella; and regional flood control agencies Coachella Valley Water District (CVWD) and Riverside County Flood Control and Water Conservation District (RCFCWCD). CVAG is also coordinating CV Link operations, maintenance, and programming with assistance from Desert Recreation District (DRD), contracted by CVAG in summer 2025.

To ensure CV Link is safe for all users, CVAG staff has been working with local public safety partners to develop an effective and efficient monitoring and emergency response system. CVAG is currently evaluating camera systems to assist law enforcement with this objective.

CVAG staff has also initiating a pilot program with the Palm Springs, Cathedral City, and Indio Police Departments to compare the effectiveness of drone surveillance versus fixed cameras for monitoring CV Link within their respective jurisdictions. As part of the pilot program, CVAG will provide one drone to Cathedral City and Indio Police Departments for monitoring and enforcement activities on CV Link. Palm Springs Police will utilize their existing drones to conduct the pilot program. Lt. Hutchinson will give an overview of the project at the February meeting, and additional information will be presented to CVAG's Public Safety Committee later this year to assess the comparative benefits of drone surveillance versus fixed camera systems.

**Fiscal Analysis:** There is no additional cost for this presentation.

Costs related to the pilot project are covered under CV Link's budget and existing staff time

## **ITEM 6B**

**Coachella Valley Association of Governments  
Public Safety Committee  
February 9, 2026**



### **STAFF REPORT**

**Subject:** Countywide and Statewide Efforts to Address Reoccurring 911 Outages in the Coachella Valley

**Contact:** Erica Felci, Deputy Executive Director ([efelci@cvag.org](mailto:efelci@cvag.org))

---

#### **Recommendation: Information**

**Background:** In February 2025, at the recommendation of the Public Safety Committee, the CVAG Executive Committee authorized the Chair and/or Executive Director to advocate for legislative fixes and policy changes that improve the stability of the 911 system in the Coachella Valley. The action was followed by updates at the May 2025 meeting, the Public Safety Committee members heard from representatives of Riverside County Sheriff's Office, Riverside County Fire and California Office of Emergency Services' (Cal OES) 9-1-1 Technology Division

The concerns about the stability of 911 infrastructure for the region have been heightened since Tropical Storm Hilary hit in 2023, as there have been at least five widespread outages and several smaller outages. These outages make it impossible to call the emergency hotline and, on occasion, limit the ability of the public to call local police departments through the non-emergency lines. Riverside County has been focusing efforts to improve coordination with wireless providers like Frontier and AT&T, as well as address how copper line thefts may inadvertently lead to fiber line damage. Grace Garner, Senior Legislative Analyst for Riverside County Supervisor V. Manuel Perez, will provide the Committee with an update of these efforts at the February 2026 meeting.

CVAG staff would also note that the statewide efforts to address these problems had a significant shift in late 2025.

As was noted in the May staff report to the Public Safety Committee, Cal OES' 911 Emergency Communications Branch has a mission to update the 911 system to keep up with the changes in the way people communicate as well as the emerging technologies used to communicate. For several years, there have plans to shift to Next Generation 911 (known as NG 911) across the State, which would increase resiliency, provide a common technology across California, allow agencies to re-route 911 calls to each other during disasters, improve location services and integrate with a nationwide wireless broadband network initiative.

Efforts to roll out the NG 911 system hit a snag. As reported by the Sacramento Bee in November 2025: *"Cal OES ran into disruptions after the new technology was switched on in a fraction of dispatch centers. The rollout was paused, and the leader who spearheaded the project, Budge Currier, left the agency. Ultimately, Cal OES decided to scrap the regional design and go back to the drawing board. Now, the state has pivoted, proposing a new statewide design similar to what other states have adopted. Cal OES plans to issue requests for proposals next year for other vendors to build out the second iteration of California's Next Generation 911, at an additional cost*

*of potentially hundreds of millions of dollars.”* A new vision for the NG 911 system was unveiled in November 2025, and the CalOES’ plan is attached to this report for members’ information.

**Fiscal Analysis:** There is no cost to CVAG for this informational update.

**Attachment:** CalOES’ 2025 Next Generation 911 Transition Plan



## 2025 Next Generation 9-1-1 Transition Plan



November 2025

**Gavin Newsom**  
**Governor**

**Nancy Ward**  
**Director**  
**California Governor's Office of Emergency Services**

## **Table of Contents**

Executive Summary .....	1
Introduction .....	3
Current State of the Next Generation 9-1-1 Project .....	4
Opportunities to Strengthen the Next Generation 9-1-1 Project.....	6
Transition Plan Phases .....	8
Fiscal Impact .....	9
Appendix: 9-1-1 Cost .....	10

## **Executive Summary**

The California Governor's Office of Emergency Services (Cal OES) is updating the state's strategy to transition California from the long-standing legacy 9-1-1 system to the more modern Next Generation 9-1-1 network technology. This document is an overview of that plan. In addition to the 9-1-1 Advisory Board meetings, Cal OES will be updating stakeholders as the project moves forward.

### **Strengthening California's Next Generation 9-1-1 Migration Project**

- **Legacy Limitations:** The 1970s-era legacy system cannot support modern capabilities like video streaming or photos.
- **Project Phases (2019–2024):**
  1. Planning/design with public safety answering point site surveys under COVID-19 constraints.
  2. Infrastructure deployment (hardware, software, fiber, permitting).
  3. Phased public safety answering point migration—halted after 23 transitions due to significant operational disruptions.
- **Key Issues:**
  1. Public safety answering points must handle both legacy and Next Generation 9-1-1 call flows, which is a time-consuming and risky process during emergencies.
  2. Four service provider regional model creates interdependencies, delaying issue resolution across service providers, carriers, and public safety answering points.
  3. Migration testing burdens understaffed public safety answering points, already facing recruitment and retention challenges.

### **Findings & Design Principles**

Lessons from migrated public safety answering points, service providers, peer states, and the California Department of Technology inform an updated strategy centered on four principles:

1. System Resilience – Ensure high availability via redundant paths.
2. User Experience – Prioritize intuitive, low-impact systems for call takers.
3. Minimize Complexity – Reduce failure points and interdependencies.
4. Maximize Economic Prudence – Leverage existing infrastructure.

## **Recommendations & Transition Plan**

To deliver a world-class, resilient Next Generation 9-1-1 network:

1. Adopt the use of Transitional Elements:
  - Normalizes all incoming calls (legacy or Next Generation 9-1-1) before reaching public safety answering points, eliminating dual workflows and enabling seamless transfers.
  - Shifts testing/coordination burden from public safety answering points to Cal OES and service providers.
  - The states that have begun or completed a successful transition to Next Generation 9-1-1 are using transitional elements.
2. Streamline to a Statewide Service Provider Model:
  - Replace four regional service providers with one primary statewide provider and one backup provider. This change will eliminate the problematic interfaces and handoffs in the current process while preserving resiliency necessary for 9-1-1 services.
  - Phase 1 (Early 2026): Procure two statewide Next Generation 9-1-1 contracts.
  - Phase 2 (Beginning in Late 2026): Begin migrating all public safety answering points, starting with the 23 that are already in progress, and incorporate the use of transitional elements.
  - Phase 3 (2026–2030): As Next Generation 9-1-1 is deployed, decommission legacy 9-1-1 system components.

## **Fiscal Impact**

The updated transition plan builds upon prior investments (\$455 million through June 2025) and the foundational infrastructure installed across the state. Regional operating costs will be redirected to fund the backup statewide provider. Any additional needs will follow standard budget processes.

## **Conclusion & Next Steps**

California's Next Generation 9-1-1 system must be reliable, intuitive, and future-proof. The updated plan—leveraging transitional technology and a simplified service provider structure—will minimize public safety answering point disruptions, accelerate migration, and ensure operational excellence. Cal OES recommends immediate procurement initiation in early 2026 to resume momentum and achieve full statewide deployment by 2030.

## **Introduction**

Public safety, federal and state government organizations, and various standards development organizations (which are typically international in scope) are focused on migrating legacy 9-1-1 systems to more modern Next Generation 9-1-1 networks. California is no exception. California's legacy 9-1-1 system, while stable and reliable, was established in 1973, long before the existence of so many of the modern tools we have today, including the smartphone. As a result, the 9-1-1 legacy system is limited in its ability to support more modern benefits—such as video streaming and photos. The California Governor's Office of Emergency Services (Cal OES) is leading the Next Generation 9-1-1 project for the State of California.

California's 9-1-1 system includes approximately 450 public safety answering points, more commonly known as dispatch centers, which are operated and staffed by California's local governments. The staff at public safety answering points work in a challenging, dynamic environment, serving as a critical part of the state's public safety network. While local governments operate and staff the public safety answering points, Cal OES is responsible for overseeing the core technology functions of the 9-1-1 system.

The core functions of California's 9-1-1 system can be divided into three categories, as follows:

***Call Handling Equipment***— Every public safety answering point has a phone system, referred to as “call handling equipment,” that is used to answer, record, and manage information related to 9-1-1 calls. When a member of the public dials 9-1-1, the call handling equipment allows a dispatcher to answer the call and pushes information about the caller into the dispatching system. This accelerates the process of directing the appropriate emergency resources to respond to the caller's location.

***Location Services***— While legacy phone lines were in a fixed location, cell phones and campus-based phone systems can report granular information about the location of a 9-1-1 caller. Next Generation 9-1-1 will be able to provide caller location data to the public safety answering point faster and more accurately.

***The 9-1-1 Network***— 9-1-1 calls are delivered from the caller to the dispatch center across a series of technology components referred to as the 9-1-1 network. Whether the legacy 9-1-1 network or the Next Generation 9-1-1 network, this pathway is a critical element in connecting callers to appropriate 9-1-1 dispatching centers.

Cal OES supports these core technology functions through a network of private sector contracted service providers. Cal OES monitors the health of the network and services to ensure 9-1-1 services are delivered per standards and contract requirements.

## **Current State of the Next Generation 9-1-1 Project**

The current project can best be described in phases as follows:

**Phase 1: Planning and Design**—The first phase, beginning in 2019-20, focused on the planning and designing of the network. The contracted service providers began site surveys at the state's public safety answering points to determine how best to address infrastructure needs at each location. The needs of the approximately 450 public safety answering point locations varied both in the existing technology in use, staffing, and physical structure, which can all influence the infrastructure solution. These surveys were conducted in coordination with the local public safety answering point operators under the COVID-19 restrictions then underway.

**Phase 2: Infrastructure Installation**—The second phase, from 2019 through 2024, included the installation of the updated infrastructure across the public safety answering points statewide. This included structural and electrical work at many public safety answering points, software, hardware, and any necessary trenching to accommodate underground fiber optics. The service providers also worked through the permitting process governing each of the local public safety answering points. Between July 2019 and June 2024, California invested over \$455 million in support of Next Generation 9-1-1 planning, installation, and operation.

**Phase 3: Switching Over the Network**—Working with the service providers and public safety answering points, Cal OES executed a facilitated phased transition to move public safety answering points from legacy 9-1-1 to the Next Generation 9-1-1 network.

### **Project Implementation Slower than Anticipated**

The migration of public safety answering points to the Next Generation 9-1-1 network has proven more challenging than expected due to unanticipated operational impacts to the public safety answering points and delays in problem resolution. While the Next Generation 9-1-1 network infrastructure has been installed across the state and is now used to deliver both location services (9-1-1 caller location) and text-to-9-1-1 to every public safety answering point, only 23 of the public safety answering points have begun the migration for voice calls.

Because project implementation was not progressing as planned, in early 2025, Cal OES paused the transition of additional public safety answering points. The pause allowed Cal OES to better understand the lived experiences of the public safety answering points and the operational challenges of the state-selected service providers who operate the Next Generation 9-1-1 network.

To better understand the issues, Cal OES engaged with the 23 migrated public safety answering points, the four service providers operating the system, other states, and the California Department of Technology (CDT). This allowed Cal OES to develop actions to improve the public safety answering points' experiences in order to strengthen the overall project before expanding to more public safety answering points.

### **Action Needed to Strengthen the Project**

Californians deserve a world class 9-1-1 system. The Next Generation 9-1-1 system will be the backbone of the 9-1-1 system for decades; therefore, it is critical to get it right. Cal OES is taking the necessary actions to strengthen the Next Generation 9-1-1 network. The plan to do so is informed by the lessons learned through the early phases of public safety answering point migration to the Next Generation 9-1-1 network.

Cal OES' findings led to an updated strategy to transition the public safety answering points to the Next Generation 9-1-1 network. The goal of the updated plan, as outlined below, is to design an exceptional Next Generation 9-1-1 system for California that adheres to the following design principles:

**System Resilience**—Network availability, or uptime, is a crucial element for public safety grade systems. Systems must be designed with multiple connectivity paths to ensure high-availability and continuity of operations.

**User Experience**—The most critical resource in the 9-1-1 ecosystem is the call taker. Systems must be designed to be intuitive and user-friendly to the call taker, minimizing operational impacts on the call takers during implementation and operation, and allowing them to focus on answering calls and deploying resources.

**Minimize Complexity**—Complexity in design multiplies opportunities for failures. Systems must be designed to be only as complex as necessary to achieve the business requirements.

**Maximize Economic Prudence**—System design must leverage existing deployed infrastructure and build on equipment already deployed at public safety answering points statewide.

## **Opportunities to Strengthen the Next Generation 9-1-1 Project**

### **Employ Technology Solution (Transitional Elements) Used by Other States to Alleviate Public Safety Answering Point Impacts**

Under the current project construct, public safety answering points that are transitioning to Next Generation 9-1-1 network, experience significant impacts to their operations. Call takers are receiving calls from both the legacy and the Next Generation 9-1-1 network with each system requiring a different processing action. Unlike California, most other states employed what are called “transitional elements” into their projects. Essentially, transitional elements are a technology tool that packages all incoming calls before they reach the public safety answering point. This means that all calls, regardless of carrier or network, feel the same to the call handler and can, therefore, be processed the same. These transitional elements minimize disruptions to operations and alleviates work for the call takers.

For example, under today’s project construct, the process for call takers transferring calls is complex and risky because California’s implementation of the Next Generation 9-1-1 design does not support such call transfers between legacy and Next Generation 9-1-1. These transfers are a regular occurrence between law enforcement, fire, and medical organizations. To make a transfer, staff at public safety answering points are required to use 10-digit, non-emergency lines or find other ways to hand off callers to the appropriate dispatching entity. This limitation is a significant concern for public safety answering point staff as it is an additional step added to call handling processes, which costs valuable time and introduces the risk of mistakes in an already high-pressure environment. As noted, this issue will be resolved with the implementation of transitional elements and will improve user experience and minimize system complexities.

### **Lessen the Impacts to Public Safety Answering Points During Migration**

Under the current project plan, migrating a public safety answering point to the Next Generation 9-1-1 network requires the staff at the public safety answering point to participate in active testing of the system. The migration of voice calls for an individual public safety answering point involves moving one carrier at a time, such as AT&T, Verizon, or Frontier, and then testing the migration. The steps are then repeated for each carrier. By implementing transitional elements, the testing will largely occur between Cal OES and the service provider, minimizing impacts to the public safety answering point. Because public safety answering points are busy handling 9-1-1 traffic, the burden of transitioning to the Next

Generation 9-1-1 system should be borne by Cal OES and the service providers whenever possible.

### **Streamline the Overall Construct of the Project**

Today, the Next Generation 9-1-1 network is operated by four service providers, selected through the state contracting process. One is a statewide service provider that has connectivity across all the public safety answering points. The other three operate in selected regions of the state. Under this model, the statewide service provider is serving as the back-up provider should one of the regional service providers experience a problem. While this arrangement was adopted to build resiliency into the network, it has added unintended complexities by creating interdependencies between the service providers, public safety answering points, and the carriers.

Often, the interdependencies compound problems that occur in any part of the system as they have far-reaching impacts on the systems of other providers and ultimately have direct impacts on the public safety answering points. Such problems are sometimes difficult to isolate because very few issues are within the control of a single service provider. Even when a problem is isolated, resolution requires coordination amongst multiple entities. Often these entities are structured differently and have varied operational procedures. Consequently, public safety answering points have experienced unacceptable delays getting issues resolved.

Currently, we have the benefit of learning not only from California's experiences, but also from other states' experiences. Using the regionalized approach to solve for resiliency is unique to California. Knowing what we know now, Cal OES believes that any resiliency achieved through this construct is offset by the challenges from the interdependencies and the complexities.

Indeed, the same resilience, including regional redundance, can be achieved with a single, primary service provider using a statewide approach. Turning to a statewide service provider will allow the elimination of complexities and risks introduced from having multiple regional service providers. In addition, adopting a statewide approach will align with the goals of minimizing complexity while maintaining system resiliency.

In sum, it is Cal OES' role to support the local government public safety answering points with a stable, resilient, and capable 9-1-1 system. Consequently, Cal OES intends to streamline the structure of the Next Generation 9-1-1 project by lessening impacts on the public safety answering points and reducing the interdependencies between the service providers. This will be achieved, in part, by updating the overall structure of the Next

Generation 9-1-1 project to a statewide service provider model rather than the current regional model. One primary service provider will run the day-to-day operations, and another statewide service provider will serve as the back-up to ensure resiliency for the system. This will ease the burdens on the public safety answering points.

## **Transition Plan Phases**

Cal OES' plan to transition from the regional approach to the statewide approach can be summarized in three project phases:

### ***PHASE 1: Establish contracts with two Next Generation 9-1-1 providers—***

Cal OES, with the support of CDT, will execute two new Next Generation 9-1-1 contracts. Cal OES has retained industry experts to help draft the procurement requirements and expects to release an open procurement in early 2026. Cal OES and CDT are exploring options to expedite this procurement process. With the completion of the procurements, Cal OES can then establish a firm timeline and cost for the full rollout of Next Generation 9-1-1 services to all public safety answering points in California. Cal OES has encouraged the existing regional service providers to compete in the procurement.

***PHASE 2: Migrate All 9-1-1 services to the Statewide Service Provider—***All public safety answering points will transition onto the Next Generation 9-1-1 network. Transitional elements will be employed. Any additional buildout of the Next Generation 9-1-1 network will be coordinated. Public safety answering point migrations are anticipated to be faster and less difficult. Resilience in the network and Next Generation 9-1-1 core services will be strengthened. This phase is expected to begin late 2026. Cal OES will develop a statewide deployment plan that will incorporate the Next Generation 9-1-1 architecture updates with the execution of statewide Next Generation 9-1-1 contracts.

***PHASE 3: Decommissioning Legacy 9-1-1—***As progress is made in transitioning public safety answering points to the Next Generation 9-1-1 system, the legacy 9-1-1 system will no longer be needed by those public safety answering points. Cal OES plans to begin the decommissioning process when legacy 9-1-1 components are no longer needed, with full legacy decommission occurring after all public safety answering points are moved to Next Generation 9-1-1 in 2030.

Under the legacy 9-1-1 system, public safety answering points are connected to one or more of 45 local hubs called legacy selective routers. Portions of the legacy 9-1-1 system and some of the legacy

selective routers will exist until every public safety answering point has transitioned to the Next Generation 9-1-1 system.

## **Fiscal Impact**

The expenditures between 2019 and fall 2025 for Next Generation 9-1-1 in California were substantial but not lost. The intent will be to build upon a large component of the infrastructure that already exists. Once service is shifted to a statewide approach, the regional Next Generation 9-1-1 networks will be unnecessary. The cost of operating the regions will be eliminated and those expenses will be redirected to fund the second statewide service provider contract. If any additional resources are needed beyond what is currently appropriated, Cal OES will follow the normal state budget process.

## **Appendix: 9-1-1 Cost**

Operations Cost of Legacy 9-1-1 system and support of the approximately 450 public safety answering points in California.

	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	Total
Legacy 9-1-1	\$27,649,194	\$21,516,199	\$19,853,367	\$24,405,249	\$29,368,202	\$24,915,402	\$147,707,612
Public Safety Answering Point Support	\$55,876,125	\$34,758,829	\$37,303,073	\$57,432,560	\$33,889,765	\$25,248,057	\$244,508,408
<b>Total</b>	<b>\$83,525,319</b>	<b>\$56,275,028</b>	<b>\$57,156,439</b>	<b>\$81,837,808</b>	<b>\$63,257,967</b>	<b>\$50,163,459</b>	<b>\$392,216,020</b>

### Next Generation 9-1-1 cost

	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	Total
Next Generation 9-1-1	\$44,717,571	\$85,248,340	\$95,620,913	\$55,646,851	\$74,331,240	\$99,719,835	\$455,284,749

Legacy 9-1-1 is the cost paid to legacy 9-1-1 service providers to maintain and operate the legacy 9-1-1 system.

Public Safety Answering Point Support includes the monies directed to the public safety answering points to fund call handling systems and other components that support the operation of the local 9-1-1 services.

Next Generation 9-1-1 is the cost paid to service providers to design, build, deploy, and operate the Next Generation 9-1-1 system.

**Item 7A**

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS  
PUBLIC SAFETY COMMITTEE  
ATTENDANCE RECORD  
FY2025-2026

Voting Members	JUL	AUG	SEP	OCT	NOV**	DEC	JAN**	FEB	MAR	APR	MAY	JUN	ATTENDED		
City of Blythe			●										1	out of	1
City of Cathedral City			○										0	out of	1
City of Coachella			●										1	out of	1
City of Desert Hot Springs			●										1	out of	1
City of Indian Wells			○										0	out of	1
City of Indio			○										0	out of	1
City of La Quinta			●										1	out of	1
City of Palm Desert			●										1	out of	1
City of Palm Springs			●										1	out of	1
City of Rancho Mirage			●										1	out of	1
Torres Martinez Desert Cahuilla Indians			●										1	out of	1
Riverside County			●										1	out of	1
<b>Total Attendance Per Meeting</b>			<b>9</b>												

Ex Officio / Non-Voting Members	JUL	AUG	SEP	OCT	NOV**	DEC	JAN**	FEB	MAR	APR	MAY	JUN	ATTENDED		
Agua Caliente			○										0	out of	1
California Highway Patrol			○										0	out of	1
Cathedral City Fire			●										1	out of	1
Cathedral City Police			●										1	out of	1
County Probation Department			○										0	out of	1
Desert Hot Springs Police			○										0	out of	1
District Attorney's Office			○										0	out of	1
Indio Police			●										1	out of	1
Palm Desert Sheriff Station			●										1	out of	1
Palm Springs Fire			○										0	out of	1
Palm Springs Police			○										0	out of	1
Riverside County Fire			○										0	out of	1
Riverside County Sheriff			○										0	out of	1
Thermal Sheriff Station			○										0	out of	1
U.S. Border Patrol			○										0	out of	1
<b>Total Attendance Per Meeting</b>															

No Meeting   
 Canceled \*\*  
 Present ●  
 Absent ○

**Item 7A**

COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS  
PUBLIC SAFETY COMMITTEE  
ATTENDANCE RECORD  
FY2025-2026

Voting Members	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	ATTENDED		
City of Blythe			●										1	out of	1
City of Cathedral City			○										0	out of	1
City of Coachella			●										1	out of	1
City of Desert Hot Springs			●										1	out of	1
City of Indian Wells			○										0	out of	1
City of Indio			○										0	out of	1
City of La Quinta			●										1	out of	1
City of Palm Desert			●										1	out of	1
City of Palm Springs			●										1	out of	1
City of Rancho Mirage			●										1	out of	1
Torres Martinez Desert Cahuilla Indians			●										1	out of	1
Riverside County			●										1	out of	1
<b>Total Attendance Per Meeting</b>			<b>9</b>												

Ex Officio / Non-Voting Members	JUL	AUG	SEP	OCT	NOV**	DEC	JAN	FEB	MAR	APR	MAY	JUN	ATTENDED		
Agua Caliente			○										0	out of	1
California Highway Patrol			○										0	out of	1
Cathedral City Fire			●										1	out of	1
Cathedral City Police			●										1	out of	1
County Probation Department			○										0	out of	1
Desert Hot Springs Police			○										0	out of	1
District Attorney's Office			○										0	out of	1
Indio Police			●										1	out of	1
Palm Desert Sheriff Station			●										1	out of	1
Palm Springs Fire			○										0	out of	1
Palm Springs Police			○										0	out of	1
Riverside County Fire			○										0	out of	1
Riverside County Sheriff			○										0	out of	1
Thermal Sheriff Station			○										0	out of	1
U.S. Border Patrol			○										0	out of	1
<b>Total Attendance Per Meeting</b>															

No Meeting   
 Canceled \*\*  
 Present ●  
 Absent ○

## **ITEM 7B**

Coachella Valley Association of Governments  
Public Safety Committee  
February 9, 2026



### **STAFF REPORT**

**Subject:** Conflict of Interest Guidance

**Contact:** Elysia Regalado, Deputy Clerk, ([eregalado@cvaq.org](mailto:eregalado@cvaq.org))

---

#### **Recommendation: Information**

**Background:** Over the years, CVAG's committee members have periodically requested clarification regarding the rules and regulations governing conflicts of interest during voting. This staff report provides a refresher on key requirements to support informed, transparent, and ethical decision-making.

A full guidance memorandum from Best Best & Krieger is included as an attachment. Key highlights are summarized below:

- **Real Property Conflicts:** Ownership of property within 500 feet of a subject parcel creates a presumed conflict of interest. Property located more than 500 feet away may still present a conflict depending on the circumstances. Staff provides parcel maps and related information with each acquisition item, and Committee members must recuse themselves from discussion and voting when a conflict exists.
- **Financial Contributions:** Campaign contributions of **\$500 or more** made within **12 months before or after** a proceeding by an individual or entity involved in the matter constitute a conflict, subject to limited exceptions. Committee members must disclose such contributions and abstain from participating in related decisions.
- **Personal Financial Interests:** Committee members must recuse themselves if they hold any financial interest that could be affected by the decision, including real property ownership, business investments, personal income, or spousal income.
- **Dual Roles and Service on Other Boards:** Serving in multiple public roles does not automatically require recusal. However, recusal is required when the matter involves real estate negotiations or potential litigation discussed in closed session. Committee members are encouraged to be transparent about dual roles to avoid any appearance of bias.
- **Disclosure and Recusal Procedures:** Committee members must publicly disclose the basis for a conflict of interest and fully recuse themselves, which includes leaving the room during deliberations and refraining from any participation in the item.

Staff also wishes to inform the Committee of upcoming changes to the Ralph M. Brown Act that will take effect in 2026. While most of these changes are not expected to apply directly to CVAG committee members because it is a joint powers authority, staff will continue to coordinate with Legal Counsel to ensure the Committee remains compliant with any provisions that do apply. A separate consent item on this agenda is recommending a resolution related to some of these Brown Act updates.

For reference, the Brown Act guide is available for review at the following link: [Ralph M. Brown Act](#)

**Fiscal Analysis:** There is no cost to the CVAG for this informational update

**Attachment:** Best Best & Krieger 2024 Key Insights Into Open Government & Ethics- *Avoiding Financial Conflicts- Should I Participate in this Decision?*



## Avoiding **Financial Conflicts of Interest** — Should I Participate in this Decision?

---

The Political Reform Act of 1974 (Gov. Code Sections 81000–91014) forms the foundation for California’s financial conflict of interest laws for public officials. The purpose is to cover both actual and apparent conflict of interest situations between a public official’s private interest and their public duties.

The basic rule is that no public official shall make, participate in making, or in any way attempt to use their official position to influence a governmental decision if they know, or have reason to know, that they have a financial interest in the decision.

## Who Should Avoid Financial Conflicts of Interest?

All decision-making public officials for local government agencies which includes every member, officer, and employee of a local government agency, as well as consultants to a local agency who meet certain criteria. Public officials may also include members of public agency boards, councils, commissions, and committees with decision-making authority.

If you are a public official who may make, participate in making, or in any way influence a public agency decision, this resource will help determine whether you have a potential financial conflict of interest that has to be addressed.

## Do I Have a Financial Conflict of Interest Under the Political Reform Act?

Before making a decision or discussing a future decision of your public agency, try to answer the following questions:

### 1. Will you be “participating in a decision?”

You are “participating in a decision” of your public agency by doing any of the following:

- **Making an actual decision** — Voting, making an appointment, or taking an action that obligates or commits your public agency.
- **Contributing to the decision-making process** — Making a recommendation or participating in negotiations about the public agency decision.
- **Influencing the decision** — Making your position known, discussing the decision with other agency officials, providing reports, or influencing others (such as staff or consultants) who are involved in the decision-making process.

### 2. Does the decision affect one or more of your “financial interests?”

A financial conflict of interest can exist if the public agency decision you are participating in affects (positively or negatively) any of your “financial interests” as described in the Act and listed here:

- **Business Interest:** Any for-profit business entity in which you or your immediate family (spouse and dependent children) have a direct or indirect investment worth \$2,000 or more. You also have a financial interest in any business in which you are an employee, manager, officer, director, owner, partner or trustee, regardless of whether you have an investment or receive income from the entity.
- **Source of Gross Income:** A public official has a financial interest in any source of income that is either received by or promised to the official and totals \$500 or more in the 12 months before the decision. Income is very broadly defined as “a payment received” with few exceptions. Examples of income include salary, wage, advance, dividend, interest, rent, proceeds from any sale, gift, loan, forgiveness or payment of debt, or community property interest in income of a spouse. The FPPC regulations make it clear that a conflict of interest results whenever either the amount or the source of an official’s income is materially affected by a decision. Also, a decision that foreseeably will materially affect an official’s employer would generally necessitate a disclosure and disqualification, even if the amount of income received by the official was not affected. Common exclusions from income include loans from commercial lending institutions in the ordinary course of business made on terms available to the general public, campaign contributions, government salaries and benefits, monetary inheritances, and alimony or child support payments.
- **Gift Interest:** Any gift(s) — cash, goods or services — promised or given to you in the past 12 months by a person, business, or other entity totaling \$590 or more in value. The dollar limit is adjusted biennially in odd-numbered years based on the Consumer Price Index (CPI).
- **Real Property Interest:** Any real property interest, including ownership, mortgage, lease, easement or license, or option to acquire such interest in real property, located in the public agency’s jurisdiction owned directly or indirectly by you or your immediate family if the fair market value of the real property interest is \$2,000 or more. Month-to-month tenancies are not considered an interest in real property. Interest in real property also includes a pro rata share of a business entity’s real property or trust in which the public official or immediate family owns, directly or indirectly, a 10 percent interest or greater.

- **Personal Financial Interest:** Any personal expense, income, asset, or liability of you or your immediate family (spouse and dependent children).
- 3. Will the public agency decision have a reasonably foreseeable “material financial effect” on any of your financial interests?**

Participation in a decision that affects your financial interest creates a conflict of interest only if it is reasonably foreseeable (a realistic possibility) and the effect is “material.”

In general, if the financial effect can be recognized as a realistic possibility and more than hypothetical or theoretical, it is reasonably foreseeable. If the financial result can be expected only in extraordinary circumstances not subject to the public official’s control, it is not reasonably foreseeable. In determining whether a governmental decision will have a reasonably foreseeable financial effect on a financial interest other than an interest explicitly involved, described above, the following factors should be considered:

- a. The extent to which the occurrence of the financial effect is contingent upon intervening events.
- b. Whether you should anticipate a financial effect on your financial interest as a potential outcome under normal circumstances when using appropriate due diligence and care.
- c. Whether you have a financial interest that is of the type that would typically be affected by the terms of the governmental decision.
- d. Whether the governmental decision will provide or deny an opportunity, or create an advantage or disadvantage for one of your financial interests, including whether the financial interest may be entitled to compete or be eligible for a benefit resulting from the decision.

This is not an exclusive list of all the relevant facts that may be considered in determining whether a financial effect is reasonably foreseeable.

“Material” means important or significant, and often depends upon whether or not the interest is explicitly involved. For each financial interest you identified as potentially affected by the decision, review the corresponding analysis below to determine whether the effect is material.

- **Business, Source of Income, and Gift Financial Interests — Explicitly Involved:** If your financial interest is explicitly involved (i.e., the subject of or a named party in the decision), the financial effect of the decision on your financial interest is presumed to be material unless you can demonstrate that the decision will not have a financial effect on your financial interest.
- **Business, Source of Income, and Gift Financial Interests — Not Explicitly Involved:** A reasonably foreseeable financial effect on a business entity is material if it results in 1) a change in gross revenues or in the value of assets or liabilities by at least \$1 million or 5 percent of annual gross revenues, or 2) a change in business expenses of \$250,000 or more or of 1 percent of annual gross revenues and the change is at least \$2,500; or if the business entity owns property that is the subject of the decision or would be substantially effected by the decision.
- **Real Property Interest — Explicitly Involved:** When your real property interest is explicitly involved in a public agency decision, the reasonably foreseeable financial effect is presumed material. A real property interest is explicitly involved when the decision includes matters such as the property's zoning, annexation, sale, lease, licensed or permitted use, taxes, fees, or improved services to the property.
- **Real Property Interest — Not Explicitly Involved:** When the real property is not explicitly involved, a decision's reasonably foreseeable financial effect is presumed material if, among other things, any part of the property in which you have a financial interest is within a 500-foot radius of the real property involved in the decision, unless it is clear the decision will not have a measurable impact on your property. If your property is located more than 500 feet, but less than 1,000 feet, from the property line of the property involved in the decision, the financial effect is material if the decision would have certain specified impacts, such as changing the parcel's view, noise or traffic level, development or income-producing potential, best use, character, or market value.

If the real property in which you have a financial interest is 1,000 feet or more from the property involved in the decision, the financial effect of the decision on your real property interest is presumed not to be material unless the specific circumstance of the decision and the nature of your property interest make it reasonably foreseeable that the decision will have a significant financial effect on your real property interest. Factors include the development potential of the property, use of the property, and character of the neighborhood.

- **Real Property Interest — Leasehold Interest:** If you have a leasehold interest in real property as opposed to an ownership interest, your leasehold interest in the property is material if the decision changes the termination date of the lease, affects the potential rental value of the property, changes your actual or legally allowable use of the property, or impacts your use and enjoyment of the property
- **Personal Financial Interest:** The financial effect of a decision on your personal financial interest is material if the decision may result in you or your immediate family member receiving a financial benefit or loss of \$500 or more in any 12-month period due to the decision.

**5. Does the decision affect your financial interests differently from the “public generally?”**

Even if you answered “yes” to the first three questions, you have a financial conflict of interest only if the decision affects you differently from the public in general. The financial effect of a decision is indistinguishable from its effect on the public generally if you establish that a significant segment of the public is affected and the effect on your financial interest is not unique compared to the effect on the significant segment.

A significant segment of the public is at least 25 percent of:

- **Business Interest —** All businesses or nonprofit entities within your jurisdiction.
- **Real Property Interest —** All real property, commercial real property, or residential real property within your jurisdiction.
- **Individuals —** All individuals within your jurisdiction.

If you are elected to represent a specific district/area in the public agency, your “jurisdiction” is that district/area; otherwise, your jurisdiction is the agency’s jurisdiction.

A significant segment of the public is at least 15 percent of residential property within your agency’s jurisdiction if the only interest you have in the decision is your primary residence.

Specific rules exist for special circumstances involving public service and utility charges, general use or licensing fees, decisions with limited neighborhood effects, rental properties, required representative interests as part of a board or commission membership, states of emergency, and governmental interests.

## What Should I Do if a Financial Conflict Exists?

### 1. Do not participate in the decision.

If you answered “Yes” to all four questions above, you most likely have a financial conflict of interest and you are prohibited from participating in the decision-making process. Do not participate in the discussion or render any opinion or advice, and do not act in any way that might influence the decision.

### 2. Disclosure and recusal are required.

State law requires you to publicly disclose your financial conflict of interest on the record and excuse yourself from the meeting while the matter is being considered in open session. You generally do not have to excuse yourself on consent calendar items unless the item is pulled, but must publicly disclose the type of your financial interest (i.e., business entity, real property, etc.) that gives rise to the conflict of interest.

### 3. Do not commit violations of the Political Reform Act (PRA)

Violation of the PRA can result in administrative fines, civil penalties, and criminal sanctions.

## Other Conflict of Interest Laws

Two other key financial conflict of interest laws apply to public officials that you may encounter as either a board or council member, public employee, or consultant in the decision-making process:

### 1. Self-Interested Contracts (Government Code Section 1090)

This key law prohibits you, as a local official or employee, from voting on, discussing, or negotiating a proposed contract or sale with your public agency if you could receive some financial gain or loss from the contract or sale. Even if you abstain as a board or council member, the entire board or council is prohibited from entering into the contract unless an exception applies. Any contract signed by a public agency board or council in violation of Section 1090 is void. The rule is different if you are a decision-making employee not on the board or council. A public agency employee may disclose their financial interest in the public agency contract and be disqualified from any involvement, allowing the board or council to enter the contract legally. Violation of this law will void the contract or sale and may result in permanent forfeiture of office for elected officials. There are limited exceptions to this law that are beyond the scope of this resource.

## 2. Campaign Contributions (Government Code Section 84308)

If you are a directly elected or appointed public official, this law (known as the Levine Act) prohibits you from participating in proceedings involving licenses, permits, or other entitlements for use that affect a person, business, or other entity from which you have received a campaign contribution of more than \$250 within the preceding 12 months, and requires you to disclose on the record the receipt of any such contribution. In addition, this law prohibits you from accepting campaign contributions of more than \$250 from a party or participant in the proceeding for 12 months after a final decision is rendered in a proceeding.



## Conflict in Government Contracts — Government Code **Section 1090**

---

Generally, government officials or employees with personal financial interests in a government contract cannot participate in or influence the creation of that contract. California Government Code section 1090 (“Section 1090”) prohibits members of the Legislature, state, county, district, judicial district, and city officers or employees (and certain consultants) from having a financial interest in any contract made by them in their official capacity or by any governmental body or board of which they are members.

A contract made in violation of Section 1090 carries with it serious consequences. With certain exceptions for independent contractors, a willful violation is punishable as a felony and the offending person may be banned from office for life. Prosecutors and the Fair Political Practices Commission (FPPC) can sue for civil penalties or impose administrative fines. Contracts made in violation of Section 1090 are void, even when the contract is to the advantage of the government agency. All benefits flowing from the contract obtained by the non-government entity may be restored to the agency (disgorged) without any offset to the other contracting party for goods or services provided.

Members of state or local governing bodies and state or local employees are generally subject to Section 1090. Consultants of an agency may be subject to Section 1090 if they have responsibilities for contracting decisions, act in a “staff capacity,” or are otherwise involved in the making of a government contract unless they fall under the exceptions outlined in Section 1097.6. If you believe that Section 1090 may apply to your situation, you should engage qualified legal counsel to help you navigate these issues.

## **Do I Have a Disqualifying Conflict of Interest Under Section 1090?**

The FPPC is the state body responsible for ensuring that California state and local governments operate ethically under the requirements of the Political Reform Act. The FPPC applies a six-step analysis to determine whether an official or employee has a disqualifying conflict of interest under Section 1090.

### **1. Is the official or employee subject to the provisions of Section 1090?**

All state, county, district, judicial district and city officers and employees are subject to the law. Independent contractors may be subject to Section 1090 as well unless they fall under the exceptions outlined in Section 1097.6, which went into effect on January 1, 2024. Now, independent contractors who enter into a contract with a public agency to perform one phase of a project and seek then to enter into a subsequent contract for a later phase of the same project are not “officers” under Section 1090 if their duties and services related to the initial contract did not include assisting the public agency with any portion of a request for proposals,

request for qualifications, or any other subsequent or additional contract with the agency. However, even if independent contractors assist the public agency with contracting matters, they may enter into a subsequent contract with the public agency for a later phase of the same project so long as: (1) their prior participation during an initial stage of a project was limited to conceptual, preliminary, or initial plans or specifications; and (2) all bidders or proposers for the subsequent contract have access to the same information, including all conceptual, preliminary, or initial plans or specifications.

## **2. Does the decision or action at issue involve a contract?**

One looks to general principles of contract law to determine whether a contract is involved in a process or decision. Sections 1090 and 1097 require that all transactions be viewed in a broad manner and avoid narrow and technical definitions of “contract.” Under this law, “a contract” includes a request for proposal, MOU, construction contract, lease or other real property agreements, purchase orders and agreements, any exchange of goods or services for consideration whether in writing or not and grants of money or property or other things of value. Generally, a contract exists when two or more parties agree to exchange goods or services with the expectation that each will receive something of value in return.

## **3. Is the official or employee participating in the making of a contract?**

“Making a contract” is broadly construed and includes any participation in the making of the contract including, but not limited to involvement in preliminary discussions, negotiations, compromises, reasoning, planning, drawing of plans and specifications, solicitation for bids and other actions. The understanding of “participation” is very broad and requires careful analysis. Also, in relation to a public body, such as a city council or district board, when members of a public board, commission or similar body have the power to execute contracts, each member is presumed to be involved in the making of all contracts by his or her board regardless of whether the member actually participates in the making of the contract. The presence of one person with a financial conflict of interest in a contract prevents the entire body from acting on that contract. Thus, when council or board members are involved, it is irrelevant whether or not they recuse themselves from the decision because the law usually presumes that the official was involved in entering the contract.

#### 4. Does the official or employee have a “financial interest” in the contract?

A person has a financial interest in a contract if he or she might profit or suffer a loss from the contract in any way. Said another way, any kind of financial impact – good or bad – causes a conflicting financial interest. The impact need not even be certain. Although Section 1090 does not specifically define “financial interest,” the term is liberally and broadly construed to include indirect, as well as direct interests. An indirect interest often arises when an official or employee has a business or financial relationship with a person or entity who is contracting with the government entity. A person is conflicted under Section 1090 when their financial interest might in any way prevent the person from exercising absolute loyalty and undivided allegiance to the best interests of the public agency. Any separate, personal interest of an officer or employee in a government-made contract may constitute an indirect interest. An official has a conflict of interest when that official’s spouse has a financial interest in the making of the contract. This is because the law presumes that an official is financially interested in his or her spouse’s income or financial interest.

#### 5. Does either a “remote interest” or non-interest apply?

By law, there are various statutory exceptions to Section 1090’s prohibition against an entire board or agency making a contract. Where the financial interest involved is deemed a “remote interest,” as defined in Section 1091, the contract may be made if: 1) the officer in question discloses his or her financial interest in the contract to the public agency, 2) such interest is noted in the entity’s official records and 3) the officer abstains from any participation in the making of the contract.

Section 1091 provides a list of 16 “remote interests.” These provisions are complex and one should not rely on the application of these exceptions without first consulting with counsel or seeking the advice of the FPPC.

Non-interests apply to all persons covered by Section 1090: Non-interests are set forth in Section 1091.5. There are 13 of these statutory non-interests. In essence, these constitute a legislative recognition that certain financial interests are so remote or speculative as to not require disqualification from participating in the making of a contract, or which are designed to serve or accommodate some other public policy, such as one’s interest in one’s own salary from a government entity or the receipt of public

services. A non-interest means a person is not disqualified from participating in the making of a contract. Some non-interests do still require the official to disclose the interest in the official records. Again, as with “remote interests,” these non-interest exceptions are complex and one should seek the advice of legal counsel or the FPPC before relying on one of these statutory exceptions.

## **6. Does the Rule of Necessity apply?**

The Rule of Necessity applies only to government entities, not individuals. In very limited circumstances, a Rule of Necessity has been applied to allow the making of a contract that Section 1090 would otherwise prohibit. Under the Rule of Necessity, a government agency may acquire an essential good or service in an emergency when to delay the contract would be to the public detriment, or when no source other than that which triggers the conflict is available. When the Rule of Necessity applies, due to a conflict with an official on a multi-member board or body, the interested official must abstain from any participation in the decision.

## **What Are the Consequences if Section 1090 is Violated?**

- With certain exceptions for independent contractors, a willful violation or aiding and abetting a willful violation of Section 1090 is punishable as a felony and carries a sentence of up to three years in state prison and a lifetime ban from holding office.
- A prosecutor or the FPPC can bring a civil action to collect civil fines of up to \$10,000 or three times the amount of the benefit received under the contract.
- The FPPC can impose administrative fines of up to \$5,000 per violation.
- The contract is void and suit may be brought to have the contract declared void.
- All proceeds, payments and profits received or obtained as a result of the contract must be returned to the government entity.
- Because most Section 1090 violations also violate the Political Reform Act’s prohibition against having a financial interest in a governmental decision, the full array of penalties available under that Act also apply, including misdemeanor criminal liability, civil penalties, administrative fines and injunctive relief.