SB 929: what it means for California special districts





SLOANE DELL'ORTO

# What we'll cover

Public Records Act
The Brown Act
State Controller Reports
Healthcare Websites
"Open Data"
Section 508 Compliance

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Public Records Act							
Our district has created and maintains a website  Passed in 2018, all independent special districts must have a website that includes contact information (and all other requirements) by Jan. 2020		SB 272	SB 272		AB 2853 (optional):		
		Our Enterprise System Catalog is posted on our website All local agencies must publish a catalog listing all software that meets specific requirements—free tool at getstreamline.com/sb272		We post public records to our website  This bill allows you to refer PRA requests to your site, if the content is displayed there, potentially saving time, money, and trees			
							The Brown Act
AB 392:	AB 22	257:	Financial Transaction Report:		Compensation Report:		
Agendas are posted to our website at least 72 hours in advance of regular meetings, 24 hours in advance of special meetings	A link to the most recent agenda is on our home page, and agendas are searchable, machine- readable and platform independent		A link to the Controller's "By the Numbers" website is posted on our website Report must be submitted within seven months after the close of the fiscal year—you can add the report to your site annually, but posting a link is easier		A link to the Controller's PublicPay website is posted in a conspicuous location on our website Report must be submitted by		
This 2011 update to the Act, originally created in 1953, added the online posting requirement	Required by Jan. 2019— text-based PDFs meet this requirement, Microsoft Word docs do not				April 30 of each year—you can also add the report to your site annually, but posting a link is easier		
Healthcare District				Section	on 508 ADA		
Websites		Open Data		Comp	oliance		
AB 2019:		AB 169:		CA gov	/ code 7405:		
If we're a healthcare distrimaintain a website that in all items above, plus addirequirements  Including budget, board membi	cludes itional	Anything posted that we call "oper requirements for Defined as "retrieval indexable, and electrical designs."	n data" meets the open data ole, downloadable,	shall co	overnmental entities imply with the accessibility ments of Section 508 ederal Rehabilitation Act		
Municipal Service Review, grant and recipients, and audits		platform independen readable" among oth	t and machine		nents were updated in 2018—if		

accessibility at achecker.ca

# Don't be freaked out right now.

Promise, we can make this easy!



Streamline:

3 years, 170 special district websites, 500+ local government agencies using our free compliance tools.

Digital
Deployment:
14 years, 300+
websites.





It doesn't have to be that hard.

In fact, we might even have fun!





We're dedicated to helping with transparency and compliance.



# Public Records Act

SB 929 requires websites for all districts.
SB 272 requires Enterprise System Catalogs.
AB 2853 allows PRA content posted to sites!

### Public Records Act

**What it is:** a law passed by the California State Legislature and signed by the governor in 1968 requiring inspection or disclosure of governmental records to the public upon request, unless exempted by law. California Government Code §§ 6250 through 6270.5.

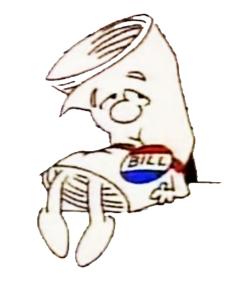
Online requirements (so far) come through three recent additions:

- SB 929
- SB 272
- AB 2853 (optional)



# Public Records Act: SB 929

What it is: A law signed by the governor in September 2018 that requires all special districts in CA to have a website by Jan. 2020, including five posting requirements (two formatting requirements are assumed).



What to do about it: Make sure your district has a website by Jan. 2020 and posts all required content (and is Section 508 compliant). Or, adopt a hardship resolution in a public meeting annually.

This bill would, beginning on January 1, 2020, require every independent special district to maintain an Internet Web site that clearly lists contact information for the special district, except as provided. Because this bill would require local agencies to provide a new service, the bill would impose a state-mandated local program.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

# Public Records Act: SB 272

What it is: Enterprise System Catalog requiring local agencies to create a catalog of "enterprise systems" that fit certain criteria, make it publicly available upon request, and post It in a prominent location on the website if they have one.

What to do about it: review the law and create a spreadsheet of all systems your agency uses that aren't exempt, or use Streamline's free Enterprise System Catalog tool (<a href="www.getstreamline.com/sb272">www.getstreamline.com/sb272</a>). Compliance was due by July 1, 2016.

Make sure to post a link on your website in a prominent location!

Agencies / Fallbrook Regional Health District

# Fallbrook Regional Health District

Edit agency profile

138 S. Brandon Road, Fallbrook, CA 92028 — 760-731-9187 — Edit

#### Step 1: System inventory

Create an inventory of all computer systems your agency uses, and qualify each of them for inclusion in your enterprise system catalog.

We'll walk you through each step to ensure you're including the proper systems.

+ Add system

Financial, QuickBooks

Microsoft Office Professional

Scanning software. Adobe Acrobat.

Some systems are not required to be included in your catalog, but you can still keep them here so you'll remember when you update your catalog next year. Anything exempt will appear below for your reference.



Aug 28, 2017 11:44am Published

Show 2 older revisions

#### **About**

SB 272 adds a new requirement to the California Public Records Act. It requires every local agency, except local educational agencies, to create a catalog of enterprise systems. Each agency must make the catalog publicly available upon request in the Home

The District -

Health Programs

Health Resources 🔻

Behavioral Health

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#### THE DISTRICT

**AFFILIATIONS** 

OUR DIRECTORS

BOARD MEETINGS

STAFF

DISTRICT TRANSPARENCY

ANNUAL REPORTS

FINANCIAL REPORTS

POLICIES

STRUCTURE

CALENDAR

### **District Transparency**

Information	Where to find it
Mission Statement	Mission - Vision - Values
Staff Members	Staff
Services/Functions and Service Area	Structure
Service Area Map	Service Area Map
Principle Act or Special Act	Health Care / Hospital Districts Principle Enabling Act
SB 272 Enterprise System Catalog	SB 272 Enterprise System Catalog
Board Overview	<u>Our Directors</u>
Board Members	<u>Our Directors</u>
Board Member Ethics Certificates	Board Member Ethics Certificates
Board Meetings	Board of Directors
Election Procedures and Filing Deadlines	<u>Director Information - Powers, Meetings,</u> <u>Officers</u>
Meeting Minutes Archive	Board of Directors
Current Agency Budget	Current District Budget
Financial Audit	<u>Audits</u>
Past 3 Years of Audits	<u>Audits</u>
Board Member and Staff Compensation	State Controller's Compensation Report

#### PUBLIC RECORDS REQUEST

To review or obtain public records and documents please complete our Public Records Request Form READ MORE >>

### STATE/LOCAL AGENCY REPORTING

San Diego Local
Agency Formation
Commission (LAFCO) report
and response to report.
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### ENTERPRISE SYSTEM CATALOG

As required by SB 272
VIEW THE CATALOG »

ADDRESS: Fallbrook Regional Health District

138 S. Brandon Road Fallbrook, CA 92028

PHONE: 760-731-9187

# Enterprise System Catalog:

AUGUST 28, 2017

VENDOR AND PRODUCT: Microsoft, Office Professional

SYSTEM PURPOSE: Email. Calendars & Documents

CATEGORIES/TYPES OF DATA: Communication, Scheduling, Office Data, Agendas, Minutes, Contact Data, Project Data

DEPT./PRIMARY CUSTODIAN: Not applicable

FREQUENCY OF COLLECTION: As needed

FREQUENCY OF UPDATE: As needed

VENDOR AND PRODUCT: Adobe, Acrobat

SYSTEM PURPOSE: Create and archive documents

CATEGORIES/TYPES OF DATA: Documents, Forms, Policies & Procedures

DEPT./PRIMARY CUSTODIAN: Not applicable

FREQUENCY OF COLLECTION: As needed

FREQUENCY OF UPDATE: As needed

#### FRESNO IRRIGATION DISTRICT

#### Catalog of Enterprise Systems

#### Pursuant to CA Government Code 6270.5

Vendor	Product	System Purpose	Description of Categories or Types of Data	Custodian	Frequency Collected	Frequency Updated
Laserfiche, Inc.	Laserfiche	Storage Of Records & Documents	Scanned documents of District records	Accounting Dept. Engineering Dept. Administration Safety Manager The Shop	Daily Daily Daily Daily Daily	As needed As needed As needed As needed As needed
Tyler Technologies, Inc.	Incode	Accounting software	Financial Accounting Data for the District Financial Accounting Data for the District	Accounting Dept. Engineering Dept. Safety Manager	Daily As needed As needed	Quarterly As needed As needed
Microsoft	Microsoft Office Suite	Office Automation	(for creating documents, data analysis, email) word processing & spreadsheets	Accounting Dept. Engineering Dept. Administration Safety Manager Water Department The Shop Maintenance & Construction	Daily Daily Daily Daily Daily Daily Daily Daily	As needed As needed As needed As needed As needed As needed As needed
None	Custom Assessment	Issue and Track Assessments	Assessment charges, payments and water delivery information	Accounting Dept. Water Department	Daily Daily	As needed As needed

# Public Records Act: AB 2853

What it is: In addition to maintaining public records for public inspection during the office hours of the public agency, a public agency may comply with subdivision (a) by posting any public record on its Internet Web site and, in response to a request for a public record posted on the Internet Web site, directing a member of the public to the location on the Internet Web site where the public record is posted.

What to do about it: post often-requested public records to your site, and point PRA requestors there, potentially saving lots of money. (Note that if they cannot access the site for any reason, you still have to provide printed copies.)



How to make requests

Records

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#### WHAT WE DO

FAQS

MISSION

SERVICES

TRANSPARENCY

FINANCIAL REPORTS

POLICIES

#### **Financial Reports**

#### **Acme Municipal Utility District 2015-2016 Budget**

Our budget is finalized in the first quarter of each calendar year for the upcoming fiscal year. READ MORE  $\ast$ 

#### 2015 Compensation Report

The required financial information can be found on the Controller's Public Pay website at http://publicpay.ca.gov/Reports/SpecialDistricts/SpecialDistricts.aspx

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#### 2015 Financial Transaction Report

READ MORE »

#### 2014-2015 Financial Audit

Audits are performed by Acme Auditing Company and are available by September of each year for the previous fiscal year.

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# HOW TO MAKE A PUBLIC RECORDS ACT REQUEST

Our most requested public financial documents are posted here on our website. If you cannot find the record you're looking for here, fill out this form to request it.

READ MORE »

# PUBLIC RECORDS REQUEST POLICY OF ACME MUNICIPAL UTILITY DISTRICT

To establish District policy and guidelines concerning accessibility of District records.

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#### THIS ITEM APPEARS ON

FINANCIAL REPORTS

### How to make a Public Records Act request

Our most requested public financial documents are posted here on our website. If you cannot find the record you're looking for here, fill out this form to request it.

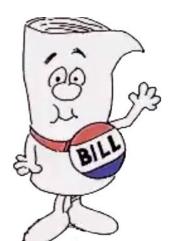
Your name	
Your phone number	
Your email address	
	<b>Pro tip:</b> Make it clear that most
Record requested	records are available on your site,
	and give them a way to request
Reason for request	others electronically
Submit	

# The Brown Act

AB 392: original agenda posting guidelines.
AB 2257: new formatting and home page link
requirements for agendas.

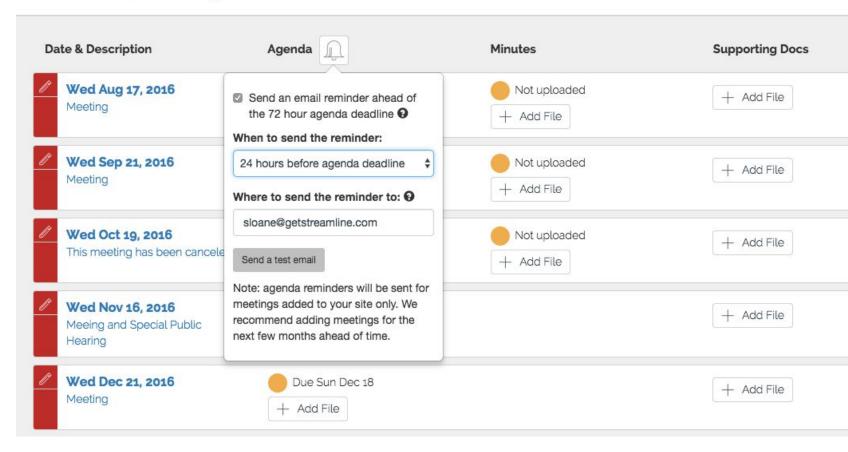
# The Brown Act: agenda posting

What it is: law governing meetings. At least 72 hours before a regular meeting ... post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting... 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.



What to do about it: Set a reminder to post your agendas at least 72 hours before each meeting, including on your website (or use Streamline Web's agenda posting reminder tool so you never forget!)

#### ∨ Board of Directors Meetings



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#### WHO WE ARE

BOARD OF DIRECTORS

BOARD MEETINGS

STAFF

#### Meetings

#### **Board of Directors**

The Acme MUD board of directors meets on the third Thursday of each month at 7:00pm in the board room at its headquarters, 222 Acme Parkway, Acmeville, CA. The board may also schedule special meetings at other times when needed, and will post notice according to the Brown Act.

MAR	
15	
2017	

**FEB** 

JAN 18 2017

DEC 2016

NOV 16 2016

Board of Dire... Board of Dire... Board of Dire... Board of Dire... Board of Dire...

OCT 19 SEP 2016

AUG

Board of Dire... Board of Dire... Board of Dire...

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#### **BOARD MEMBERS**

Acme Municipal Utility District is governed by an elected board of directors who are elected to serve by the people. The Board is elected at large by the voting public who reside within the District...

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#### **CONTACT US**

We look forward to hearing from you.

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BOARD OF DIRECTORS



### **Board of Directors Meeting**

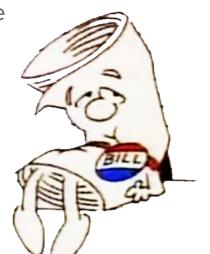
- Agenda
- Minutes

**Pro tip:** Instead of having separate sections for meetings, agendas, and minutes, add your agendas and minutes to each meeting, so that visitors can find what they're looking for based upon the meeting date.

# The Brown Act: home page agenda / formatting

**What it is:** AB 2257 - a brand new law dictating that agencies post the most recent agenda directly on the home page of their website, in an electronically searchable / retrievable platform-independent format.

What to do about it: Be prepared by Jan 2019 to post the most recent agenda to the home page in the required format (or use Streamline Web's automatic home page meeting feature so you don't have to worry about it).





#### What We Do

We do various special district things that are very important. When we aren't doing that, we're busy doing our real jobs.

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#### Services

We provide water and wastewater services to the town of Acmeville and its neighbors. The District contracts with Municipal District Services, LLC to read water meters, bill and collect monthly for...

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#### **Upcoming Events**

When we do things, we post about them on our website so that you can decide to come do things too.

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### **Upcoming Meetings**

NOV **16** 

Board of Directors Meeing and Special Public Hearing DEC 21 2016

Board of Directors Meeting - View Agenda JAN 18 2017

Board of Directors Meeting

# The Brown Act: AB 2257 formatting tips

### Keep the agenda separate from the packet! Do this:

- Create your agenda in Word (or Docs), export or save to PDF
- Upload that PDF file as your official agenda
- Then print and add to other docs if needed, scan to create the packet
- Upload the packet separately

\*Only the agenda needs to meet the requirements of AB 2257!

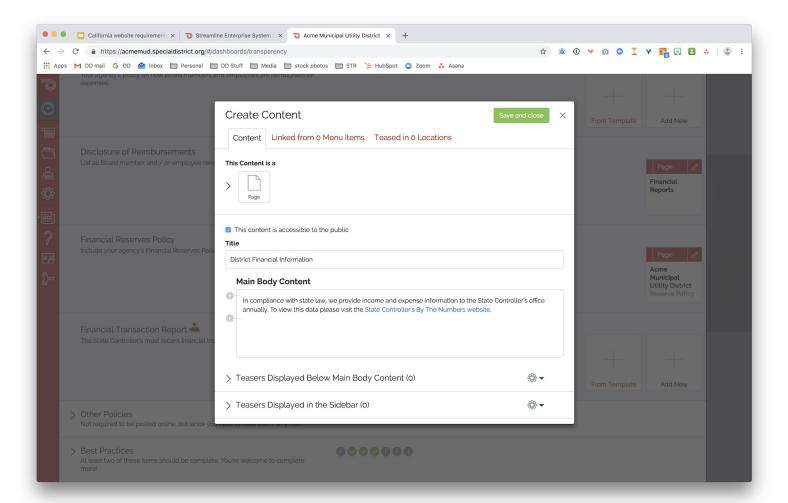
# State Controller Reports

Financial Transactions and Compensation

# Financial Transaction Report

What it is: CA Govt Code Section 53891 and 53893, requiring local government agencies to submit a specific financial transaction report to the State Controller's office "within seven months after the close of each fiscal year"...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.

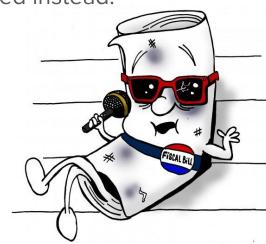
What to do about it: Visit the Controller's website for forms, and be sure that your agency is submitting the report each year. Make sure to post it on your website, if you have one...or post a link to the Controller's ByTheNumbers website so you don't have to update it each year!

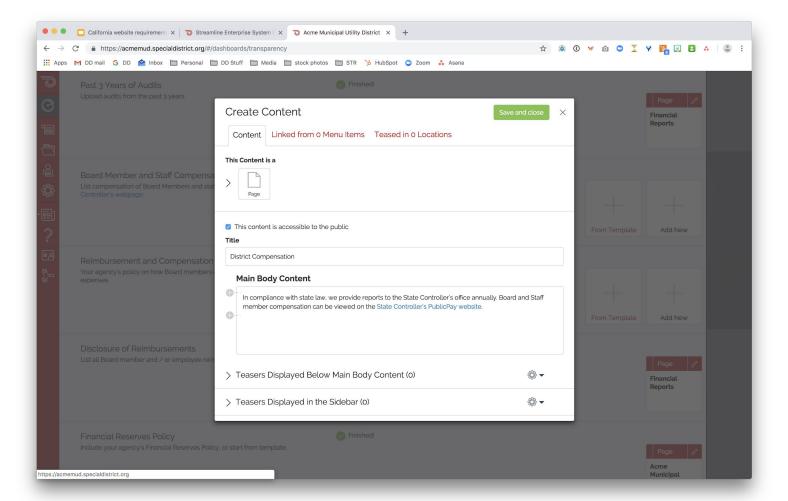


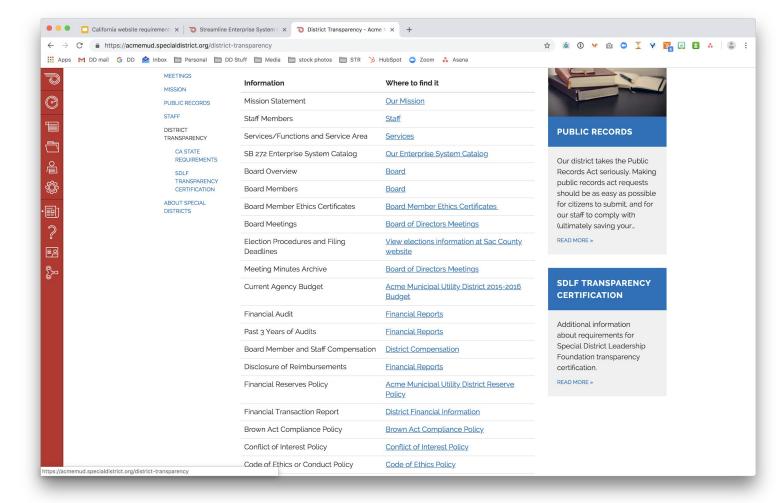
# Compensation Report

What it is: A report that must be submitted to Controller's office by April 30 each year, including information on the annual compensation of its elected officials, officers, and employees. If the agency maintains a website, the report must be posted to a conspicuous location. Alternately a link to the Controller's PublicPay website can be used instead.

What to do about it: Visit the Controller's website for instructions, and complete your reports annually. If you have a website, post the report on your site as well, or post a link to http://publicpay.ca.gov/instead.







# Health care districts

AB 2019 requires all health care districts to maintain a website with required information posted

# AB 2019

This bill would require the board of directors to include specified information, such as the district's policy for providing assistance or grant funding, on the district's Internet Web site. The bill would require that policy to contain, among other things, the district's plan for distributing grant funds for each fiscal year and a process for providing, accepting, and reviewing grant applications. The bill would also require the board to, upon filing a petition under federal bankruptcy law, provide written notice within 10 business days to the local agency formation commission of the principal county in which the district is located. The bill would require a district that is authorized and elects to use the design-build process, as specified, for the construction of housing to require that at least 20% of the residential units constructed be subject to a recorded affordability restriction for at least 55 years and be affordable to lower income households, very low income households, extremely low income households, and persons and families of low or moderate income, as defined, unless the city, county, or city and county in which the district is predominantly located has adopted a local ordinance that requires a greater percentage of the units be affordable to those groups or unless the construction is for purposes of building workforce housing, health facilities, or retirement facilities, as specified. By increasing the duties of the board of directors, including duties related to disclosure of public records, the bill would impose a state-mandated local program.

... it goes on ...

# Formatting requirements

AB 169 and Section 508

#### Open Data

**What it is:** AB 169 is a California law defining what the term "open data" means, for content posted to an agency website. If you call it open data and you post it to your website, it'd better meet the guidelines, which are mostly about the searchability and structure of the data.

What to do about it: if your content doesn't fit the requirements to be called open data, then just don't call it "open data":)



#### AB 169: Open Data

"This bill, if a local agency, except a school district," maintains an Internet Resource, including, but not limited to an Internet Web site, Internet Web page, or Internet Web portal, which the local agency describes or titles as "open data," and the local agency voluntarily posts a public record on that Internet Resource, would require the local agency to post the public record in an open format that meets specified requirements, including, among others, that the format is able to be retrieved, downloaded, indexed, and searched by a commonly used Internet search application."

<sup>\*</sup> School districts are almost always exempted from state mandates

#### Section 508

**What it is:** a Federal law requiring that various technology be accessible to people with disabilities. Web section concerns itself with making sure websites work effectively with assistive tech (screen readers, magnifiers, Braille readers, etc.)

What to do about it: You can use online testing software to check for Section 508 compliance. Reach out to your website vendor if your site isn't compliant - or just use Streamline Web.



## Section 508 (Federal / CA)

- Jan. 18, 2018, Section 508 officially adopted WCAG 2.0 AA guidelines,
   which are a bit more strict
- Only sites built after Jan. 18 2018 have to comply with the more strict guidelines (major redesigns count too) ... all other sites must comply with Section 508 only (grandfathered!)
- Use online testing tools like <a href="https://achecker.ca/">https://achecker.ca/</a> to check for compliance there are options to check for just Section 508 compliance (older sites) or WCAG 2.0 compliance (newer sites)

#### But why?

- An estimated 15 20% of the population has a disability, many of which affect a person's ability to navigate the web
- Your website should be accessible by everyone if possible, and the basics aren't that difficult
- Accessible websites get better search results (bonus!) because they are typically formatted in a more clear, easy to parse way
- Getting sued is very, very expensive

### Very, very expensive

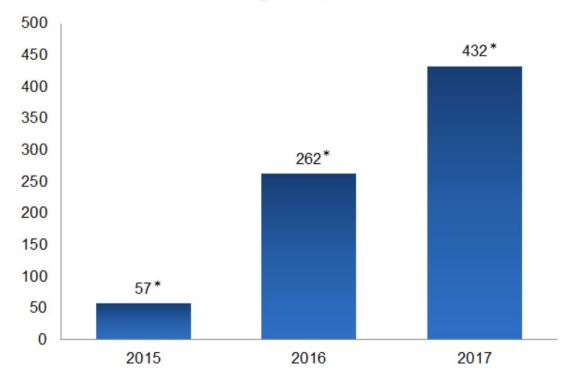
Within forty-five (45) days after the effective date of this Agreement... any agent acting on behalf of either the University or the Board shall pay the Complainant a total sum of **\$23,543.00**. Such payment(s) shall be made by check(s) payable to the order of the Complainant and delivered to the Complainant via overnight, private courier.

UNCATEGORIZED —

# Target to pay \$6 million to settle site accessibility suit

Target has settled a class-action lawsuit with the National Federation of the ...

#### Federal Website Accessibility Lawsuits: January 2015 to August 15, 2017



<sup>\*</sup>There are at least this many lawsuits.

## Step 1: Visit <u>achecker.ca</u>

ogin Register	<b>AC</b> HECKER®		
Web Accessibility Checker	Web Accessibility Checke		
Check Accessibility By:  Web Page URL HTML File Upload Paste HTML Markup  Address:  Check It	Travel in ISRAEL Car rental from 20\$ per day		
Welcome to AChecker. This tool checks single HTML pages for conformance with accessibility standards to See the Handbook link to the upper right for more about the Web Accessibility Checker.	o ensure the content can be accessed by everyone.		
Translate to <b>English</b>   <u>German</u>   <u>Italiano</u>			
Web site engine's code is copyright © 2011			

## Enter URL, click Options to choose test type

Web Page URL HTML File Upload Paste HTML Markup						
Address: h	ttps://mcrfd.specialdistrict.org/					
Check It						
tions						
Enable HTML Validator	<ul> <li>Enable CSS Validator</li> </ul>	☐ Show Source				
Guidelines to Check Again	nst					
○ BITV 1.0 (Level 2)	Section 508	Stanca Act				
○ WCAG 1.0 (Level A)	○ WCAG 1.0 (Level AA)	○ WCAG 1.0 (Level AAA)				
○ WCAG 2.0 (Level A)	WCAG 2.0 (Level AA)	○ WCAG 2.0 (Level AAA)				
Report Format						
View by Guideline	OView by Line Number					

#### **WCAG 2.0 AA:**

New/Current Standards

#### Section 508:

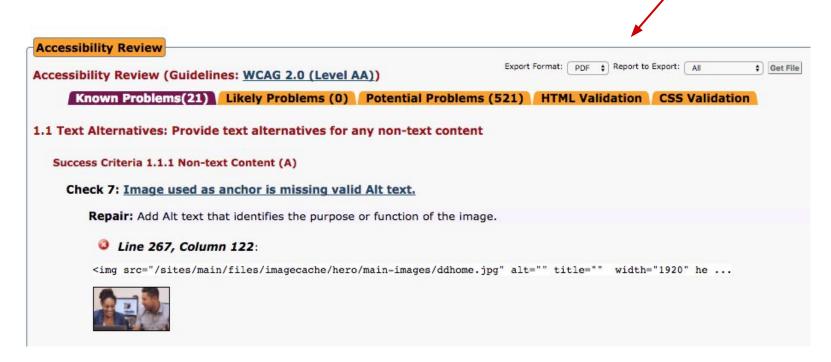
Standards before Jan 18, 2018

#### Evaluate results

essibility Review (Guide	elines: WCAG 2.0 (Level	AA))	rt Format: PDF \$ Report	to Export. All	\$ Get Fi
Known Problems(0)	Likely Problems (0)	Potential Problems (166)	HTML Validation	CSS Validation	
M	Likely Problems (0)	Potential Problems (166)	HTML Validation	CSS Validation	
Consustations	! No known prob	lems.			
Congratulations					

 For compliance you need to pay attention to anything that shows up under Known Problems

#### What if there are errors?



 If your report shows "Known problems," export it and share with your website vendor to get a quote to have them fixed.

#### Testing resources

- achecker.ca free good for single page tests for 508 or WCAG 2.0
   AA standards
- nibbler.silktide.com free good for testing accessibility and overall site effectiveness
- SiteImprove.com paid service (pricey!) watches for accessibility issues, broken links, content guidelines, and more

Note: automated testing tools only go so far, but showing intention and effort to comply goes a long way

# Best practices

Mobilegeddon and why SEO matters

## Google's Mobile Friendly Update

**What it is:** Affectionately known as "Google Mobilegeddon," it's a recent update to Google's search algorithm that penalizes (excludes!) sites that are not mobile friendly when a search is conducted on a mobile device - including smartphones and tablets.

What to do about it: Test your site online using Google's tool at https://www.google.com/webmasters/tools/mobile-friendly/ - and if your site isn't mobile friendly, reach out to your website vendor for help, or use mobile-friendly alternatives such as Streamline or Wordpress with a responsive theme.



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We do various special district things that are very important. When we aren't doing that, we're busy doing our real jobs.

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Services

We provide water and wastewater services to the town of Acmeville and its neighbors. The District contracts with Municipal District Services, LLC to read water meters, bill and collect monthly for...

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#### **Upcoming Events**

When we do things, we post about them on our website so that you can decide to come do things too.

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#### **Upcoming Meetings**

16

Board of Directors Meeing and Special Public Hearing



Board of Directors Meeting



Board of Directors Meeting



Gol Search...















STAFF

We do various special district things that are very important. When we aren't doing that, we're busy doing our real jobs.

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# Search engine love (and why you want it)

Content and file formatting tips

### Search Engine "Optimization" (SEO) myths

- It's just for big companies who compete, not for government agencies providing vital services people need
- You have to pay someone to do it
- It only works if you do things like keyword stuffing that might get you in trouble (hint: those things might get you in trouble)
- It's magic!

### Search Engine "Optimization" (SEO) truths

- If Google likes it, your visitors will too (easy to find, well organized)
  - Good content with clear search terms
  - Clear navigation (think like a visitor)
- You get to control the conversation
  - When you need to do the 218 thing, who shows up on Google?
  - Don't wait until you have something important to say
- Site technology affects your search ranking
  - Accessibility
  - Security (https / SSL)
  - Responsive / mobile friendly design
  - Modern(ish) platform or system

# So how do you keep on top of this stuff?

#### CSDA has your back.

Examples (like AB 2853 for PRA requests)



CSDA is working hard to protect special districts – get involved!

- Join CSDA, and their grassroots efforts
- Sign up for the blog for legislative-specific content
- Sign up for the newsletter for a variety of special district news
- Reply to surveys sent your way, and take part in specific Communities
- Attend conferences (especially Legislative Days)

For more info:

Dillon: (916) 442-7887 or <a href="mailto:dillong@csda.net">dillong@csda.net</a>

#### Streamline has your back.



- Free, no obligation customized demo sites
- Agenda notifiers and meeting dashboard
- Transparency guidelines built-in
- Section 508 compliant and mobile friendly
- Complete control over your content, navigation menus, and more
- All inclusive monthly fee: no contracts, unlimited support and hosting
- Free SB 272 compliance tool

Whatever crazy laws come next, we'll be here to help.

For more info:

Sloane: (916) 900-6619 or sloane@getstreamline.com

# We want to help.

(916) 900-6619 sloane@aetstreamline.com