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Agenda No. 30
06/06/23

DAWYN R. HARRISON
County Counsel

January 19, 2024

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

**Re: Ordinances Amending Title 3 – Advisory Commissions and
Committees, Establishing the LGBTQ+ Commission, and Proposed
Bylaws**


Dear Supervisors:

Pursuant to your Board's June 6, 2023, motion, our office has prepared an ordinance amending Title 3 – Advisory Commissions and Committees of the Los Angeles County Code and draft bylaws. The proposed ordinance establishes the LGBTQ+ Commission. The bylaws establish parliamentary rules of procedure to guide the work of the LGBTQ+ Commission. The ordinance requires the LGBTQ+ Commission to adopt bylaws subject to your Board's approval.

The analysis, ordinance, and bylaws are enclosed for your consideration.

Very truly yours,

DAWYN R. HARRISON
County Counsel

By 
BRIGIT GREESON ALVAREZ
Deputy County Counsel

APPROVED AND RELEASED:



for DAWYN R. HARRISON
County Counsel

BGA:eg
Enclosures


c: Fesia A. Davenport, Chief Executive Officer

Celia Zavala, Executive Officer, Board of Supervisors

ANALYSIS

This ordinance amends Title 3 – Advisory Commissions and Committees of the Los Angeles County Code to add Chapter 3.55 creating the LGBTQ+ Commission and its governance, duties, and responsibilities.

DAWYN R. HARRISON
County Counsel

By: 
BRIGIT GREESON ALVAREZ
Deputy County Counsel
Board Liaison Division

BGA: eg

Requested: 6/6/2023
Revised: 12/28/2023

ORDINANCE NO. _____

This ordinance amends Title 3 – Advisory Commissions and Committees of the Los Angeles County Code to add Chapter 3.55 creating the LGBTQ+ Commission and its governance, duties, and responsibilities.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Chapter 3.55 is hereby added to read as follows:

CHAPTER 3.55 LGBTQ+ COMMISSION

3.55.010 Created.

3.55.020 Purpose.

3.55.030 Duties and Responsibilities.

3.55.040 Composition.

3.55.050 Membership.

3.55.060 Term of Service.

3.55.070 Vacancies.

3.55.080 Officers.

3.55.090 Meetings.

3.55.100 Self-Governance Procedures and Quorum.

3.55.110 Staff.

3.55.120 Compensation.

3.55.130 Sunset Review Date.

3.55.010 Created.

There is created a County of Los Angeles LGBTQ+ Commission, hereinafter in this Chapter referred to as the "Commission."

3.55.020 Purpose.

The purpose of the Commission is to advise the Board of Supervisors ("Board") and County of Los Angeles ("County") departments and commissions on all matters affecting the well-being of Lesbian, Gay, Bisexual, Transgender, Queer, Questioning, Intersex, and Asexual ("LGBTQ+") communities with the "+" to include the self-determination of community members not represented by the acronym and the evolving and expanding understanding of limitless gender and sexual identities. The Commission will review and make recommendations on existing programs and policies to ensure the County promotes inclusivity and makes a conscious effort to address unintended consequences while striving to build trust and maintain confidence in County public services and programs.

3.55.030 Duties and Responsibilities.

The Commission shall have the following duties and scope of work:

- A. Advise. Serve in an advisory capacity to the Board, and County departments and commissions.
- B. Make recommendations. Review existing, make recommendations about, and propose to the Board and County departments new:
 - 1. policies;
 - 2. budgets;

3. budgetary processes;
4. programs and trainings for County employees and contractors;
5. legislation; and
6. practices and protocols that impact LGBTQ+ communities.

C. Annual Report. Provide an annual report to the Board apprising it of LGBTQ+ activities and accomplishments during the year and on the state of County services, programs, and resources impacting the LGBTQ+ communities, with attention on specific areas for proposed reform or change, as needed.

D. Engagement. Engage consistently with LGBTQ+ communities and key stakeholders in the County to carry out the duties and responsibilities of the Commission, such as:

1. reviewing outcomes, the quality and accessibility of services, and type of resources provided to LGBTQ+ communities in collaboration with County Departments and other relevant stakeholders. This should include:

- a. visiting service sites and conducting interviews with LGBTQ+ recipients of those services to the extent permitted by law;

- b. receiving input from stakeholders, including public, private, and community-based stakeholders regarding County-administered or County-contracted services;

- c. conveying information received to the Board and relevant County departments; and

d. where appropriate, making associated recommendations for improvement.

3.55.040 Composition.

The Commission shall consist of fifteen (15) members, including:

- A. Two (2) members selected by each Supervisor and appointed by the Board for a total of ten (10) members;
- B. One (1) member each selected by the Sheriff, the District Attorney, and the Assessor, respectively, and appointed by the Board for a total of three (3) members;
- C. Two (2) members selected through an application and interview process established by the Commission, and appointed by the Board.

3.55.050 Membership.

Members shall:

- A. Reside in the County and reflect the diversity of LGBTQ+ communities in the County; and
- B. Have demonstrated capabilities of effective leadership within LGBTQ+ communities; or
- C. Have demonstrated knowledge or ability in an area which has a significant bearing upon the challenges faced by LGBTQ+ communities.

3.55.060 Term of Service.

- A. All members of the Commission shall serve at the pleasure of the Board.
- B. As part of the original creation of the Commission only, at the Commission's first meeting, the Commissioners shall divide themselves, or if

necessary be divided by the Executive Director of the Commission, into two groups (Groups A and B, with one more Commissioner in Group B if there is an odd number of total commissioners). Group A will serve an initial term of one (1) year and will be eligible to serve one additional two-year term. Group B will serve an initial term of two (2) years and will be eligible to serve one additional two-year term. For initial members serving less than a two-year term, the initial one-year term shall not be considered towards the restriction of two consecutive two (2) year terms as described in subsection C. Thereafter, each new Commissioner appointed shall serve a term of two (2) years.

C. No Commissioner shall serve more than two (2) consecutive two (2) year terms. Unless the position is vacant as described in Section 3.55.070, all members may continue to serve until removed by the Board or a successor has been duly appointed. The Board may, by order, extend this length of service or waive this limit for individual commissioners or the Commission as a whole.

3.55.070 Vacancies.

A. A member's position on the Commission shall become vacant upon the member's death, resignation, removal by the Board or in the event the member no longer meets the membership criteria set forth in Section 3.55.050. In the case of such a vacancy, a successor shall be selected and duly appointed by the Board to serve until the end of the term. If the member being replaced was selected by a Supervisor, the Supervisor currently holding office in that district will select a replacement, subject to appointment by the Board. If the member being replaced was selected by the Sheriff, District Attorney or the Assessor, then the respective elected

official will select a replacement, subject to appointment by the Board. Members selected through the Commission application and interview process will be replaced using that process, either through selection of an applicant from the existing pool of application submissions or through conducting a new application and interview process, subject to appointment by the Board.

B. Members appointed by the Board to fill a vacancy shall serve the remainder of the unexpired term of the predecessor and it shall not constitute an appointment to a full term.

C. Members appointed to fill a vacancy shall exercise duties consistent with this Chapter and Section 3.100.060.

3.55.080 Officers.

A. The Commission shall elect a Chair, Vice Chair and Second Vice Chair.

B. The term of office of each such officer shall be for the calendar year or for that portion of the calendar year remaining after election to the post of Chair, Vice Chair, or Second Vice Chair.

C. Elections of successor officers shall take place in a timely manner to provide for uninterrupted Commission leadership.

3.55.090 Meetings.

A. The Commission shall convene regular public meetings. The Commission shall meet monthly, or as needed, at a time and location to be established by the Commission. The Commission may meet at such other times as deemed necessary by the Chair, and as otherwise provided by law.

B. Commission meetings shall be led by the Chair and Vice Chair, with the support of the Executive Director of the Commission and staff.

C. Commission meetings shall comply with the Ralph M. Brown Act (California Government Code section 54950 et seq.), as amended, and follow Robert's Rules of Order.

3.55.100 Self-Governance Procedures and Quorum.

A. A majority of the membership of the Commission shall constitute a quorum to conduct business. A majority of the members present shall constitute a quorum to take action, unless otherwise required by law.

B. The Commission shall adopt bylaws, subject to the approval of the Board, addressing the frequency, time and place of meetings, participation requirements, election and term of the Chair, Vice Chair, and Second Vice Chair, and such other rules and procedures as it deems necessary for the Commission's self-governance, provided they are not inconsistent with this ordinance or any other law.

3.55.110 Staff.

A. The Commission shall have a full-time Executive Director who will provide support and guidance to the Commission and be responsible for its administrative management. The Executive Director should have experience promoting, supporting, advocating, and creating programs, services, and resources for LGBTQ+ communities.

B. The Executive Director and staff of the Commission shall be those individuals designated in the current salary ordinances of the County of Los Angeles.

3.55.120 Compensation.

Members of the Commission shall be eligible to receive a reasonable monetary allowance to be set from time to time by the Board for attending regular and special meetings of the Commission up to a maximum per member of \$5,000 per fiscal year and shall be reimbursed for reasonable expenses incurred in performing duties in accordance with County policies regulating reimbursement to County officers and employees (including parking and transportation in attending meetings of the Commission).

3.55.130 Sunset Review Date.

The sunset review date for the Commission shall be five (5) years from the effective date of this ordinance.

[CH355BGACC]

**[PROPOSED] BYLAWS OF
THE LOS ANGELES COUNTY
LGBTQ+ COMMISSION**

CHAPTER 1. GENERAL PROVISIONS

SECTION 1. Applicability. These bylaws shall apply to the Los Angeles County LGBTQ+ Commission ("Commission") and are adopted pursuant to the authority vested to the Commission by motion of the Los Angeles County Board of Supervisors (the "Board") adopted on June 6, 2023, and as outlined in Chapter 3.55 of the Los Angeles County Code.

SECTION 2. Amending the Bylaws. Any bylaw may be amended, repealed, or adopted by a two-thirds vote of the Commissioners present, provided, however, such action shall not affect any matter pending before the Commission. A matter pending is defined as any matter on the Commission's agenda at the time action to amend the bylaws is taken. An amendment, repeal, or adoption of any bylaw cannot conflict with the standards governing the conduct of the Commission as prescribed in Chapter 3.55 of the Los Angeles County Code, or otherwise prescribed by law.

SECTION 3. Suspending the Bylaws. Except as provided otherwise herein, any bylaw may be temporarily suspended by a two-thirds vote. A temporary suspension of any bylaw cannot conflict with the standards governing the conduct of the Commission as prescribed in Chapter 3.55 of the Los Angeles County Code, or otherwise prescribed by law.

SECTION 4. Robert's Rules. The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Commission in all cases to which they are applicable and in which they are not inconsistent with these bylaws or any federal, State, and local laws. Failure to follow the parliamentary rules of procedures as prescribed in *Robert's Rules of Order Newly Revised* shall not invalidate any action taken by the Commission.

CHAPTER 2. MEETINGS

SECTION 1. Conduct of Meetings. All meetings of the Commission shall be called and conducted, and an agenda posted, in accordance with the Ralph M. Brown Act, as applicable, Government Code section 54950 et seq., as it now exists or may hereafter be amended.

SECTION 2. Regular Meeting Time and Location. At its first meeting, the Commission shall adopt a regular meeting schedule no later than December 31, of each year, in the manner provided by State law. Meetings may be rescheduled, relocated, or cancelled by the Chair, and the Commission may adopt an alternate schedule, in accordance with State law, which schedule shall be posted on the Commission's website and electronically distributed to the public via the Commission's mailing list.

To increase public participation, and for the benefit of the public, the Commission may, but is not required to, provide additional locations for members of the public at which they can

observe or address the body by electronic means under section 54953(b)(1) of the Government Code.

SECTION 3. Special Meetings. Special meetings of the Commission may be called in the manner provided by State law.

SECTION 4. Annual Meeting. The Commission shall hold an annual organizational meeting at a regular meeting no later than December of each year to elect the new officers for the following calendar year.

SECTION 5. Quorum. A majority of the Commission constitutes a quorum for the transaction of business. Non-voting members shall not be considered for purposes of determining a quorum. The abstention or recusal of a member who is nonetheless present for discussion and voting on an item shall not affect the presence of a quorum, unless otherwise provided by law.

SECTION 6. Absence of Quorum. In the absence of a quorum, the Commission members present may adjourn any regular, adjourned regular, special, or adjourned special meeting to a time and place specified in the order of adjournment. If all Commission members are absent, the Executive Director or Commission staff may adjourn the meeting to a stated time and place in accordance with section 54955 of the Government Code.

SECTION 7. Agenda Items. Items and motions may be placed on the Commission agenda by Commission members or by the Executive Director.

CHAPTER 3. DEBATE AND VOTING

SECTION 1. Motions and Seconds. Each motion made by any Commission member shall require a second. Motions and seconds may be made by any Commission member.

SECTION 2. Friendly Amendments and Unanimous Consent. A "friendly amendment" is intended to improve a motion, which amendment must be open to debate and formally voted on, such that before the motion is stated by the Chair, the motion belongs to its author and the author can withdraw or modify the motion without asking the consent of anyone. However, in cases where an amendment is made and there is no opposition, formality may be saved by unanimous consent, such that the Chair may adopt a motion without the steps of stating the question and putting the motion to a formal vote.

SECTION 3. Majority Vote. Acts of the Commission shall be valid and binding with a majority vote, or as otherwise required by other applicable federal, State, and local laws.

SECTION 4. Roll Call and Order of Roll Call. Except when required by law, a majority vote is required for the taking of a vote by roll call. Each roll call of the Commission shall be in alphabetical order, except that the Chair shall be called last.

CHAPTER 4. OFFICERS

SECTION 1. Officers. The Commission shall be presided over by a Chair, a Vice Chair, and a Second Vice Chair, to be elected by the Commission members. Should the Chair, Vice Chair, or Second Vice Chair have an appointed alternate, the alternate may not preside over the Commission meetings, in the absence of the Chair, Vice Chair, or Second Vice Chair.

SECTION 2. Election of Officers. The members shall elect the Chair, Vice Chair, and Second Vice Chair, by a majority vote, by December 31st of each year, for the following calendar year (January 1 through December 31). Nominations for Chair, Vice Chair, and Second Vice Chair should be made at the Commission meeting prior to the meeting whereby a vote for officers will be held. Commission members may nominate themselves or others. The agenda for the meeting shall list those Commission members who have accepted nominations for the position(s) of Chair, Vice Chair, and Second Vice Chair. A member elected as Chair, Vice Chair, or Second Vice Chair serves until the end of the next calendar year (December 31), and at the conclusion of the term, may be re-elected by a majority. The Chair may only serve for two (2) full consecutive terms.

SECTION 3. Officer Vacancies. In the event of a vacancy in the office of the Chair, the Vice Chair shall serve as Chair for the remainder of the term. If the Vice Chair is unable to serve, the Second Vice Chair shall serve as Chair for the remainder of the year. If the Second Vice Chair is unable to serve as Chair, the members of the Commission shall elect, by majority vote, another member of the Commission to serve as Chair until the end of the term. In the event of a vacancy in the office of Vice Chair, the members of the Commission shall elect, by majority vote, another member of the Commission to serve as Vice Chair until the end of the term. In the event of a vacancy in the office of Second Vice Chair, the members of the Commission shall elect, by majority vote, another member of the Commission to serve as Second Vice Chair until the end of the term.

SECTION 4. Duties of the Chair. The Chair shall preside at all meetings of the Commission and shall conduct the business of the Commission in accordance with these bylaws. The Chair shall preserve order and decorum and shall decide all questions of order subject to the action of the majority.

SECTION 5. Duties of Vice Chair. In the absence, or inability to act, of the Chair at a Commission meeting, the Vice Chair shall preside at the meeting and conduct the business of the Commission in accordance with the same rules and regulations prescribed to the Chair.

SECTION 6. Duties of Second Vice Chair. In the absence, or inability to act, of the Chair and Vice Chair at a Commission meeting, the Second Vice Chair shall preside at the meeting and conduct the business of the Commission in accordance with the same rules and regulations prescribed to the Chair.

SECTION 7. Succession of Duties. If the Chair is absent, then the Vice Chair shall assume the duties of the Chair and the Second Vice Chair shall assume the duties of the Vice Chair. If the Chair, Vice Chair, and the Second Vice Chair are absent, then the members of the Commission present may select a Chair Pro Tem by majority vote. No alternate member shall serve as the Chair; however, an alternate member may cast a vote for the selection of a Chair, but only if the regular member cannot attend the meeting.

CHAPTER 5. DUTIES OF MEMBERS

SECTION 1. Attendance. Members shall attend all Commission meetings and meetings of any subcommittees of which they are members. Members are expected to arrive on time and be prepared for the meetings, and must notify the Executive Director if they are unable to attend a meeting or unable to arrive on time.

SECTION 2. Participation and Public Input. Commission members are expected to actively participate in Commission discussions and provide their input and expertise. Commission members should also strive to seek input from the communities they represent and share those viewpoints with the Commission as appropriate.

CHAPTER 6. SUBCOMMITTEES

Section 1. Authority to Establish. The Commission may establish subcommittees, either standing or ad hoc, as necessary to carry out its work in accordance with Chapter 3.55 of the Los Angeles County Code, and in the manner prescribed under section 54952(b) of the Government Code. The membership of a subcommittee will not constitute a quorum of the full Commission and interested members shall be appointed by the Chair, barring a quorum being reached. An alternate may participate in a subcommittee, but only if the Commission member for whom the alternate was appointed cannot attend. Should an alternate participate in a subcommittee meeting, the alternate may not preside. At no time will committees, either standing or ad hoc, be allowed to convene and proceed as a subcommittee when less than a majority of Commission members, appointed to the committee, are present.

Section 2. Subcommittee Actions. No action may be taken by a subcommittee including, but not limited to, making recommendations to the full Commission, except by a majority vote.

CHAPTER 7. PUBLIC PARTICIPATION

SECTION 1. Public Comment. Members of the public may address the Commission on a particular agenda item and during the general public comment section of the agenda by submitting a written request to the Executive Director or Commission staff. A person requesting to address the Commission will be allowed a total of two (2) minutes per item, including general public comment. A person giving public comment in a language other than English will be allowed double the amount of time to account for translation unless the person receives simultaneous translation services. The Chair may exercise discretion, subject to action by a majority, and choose to limit or expand public testimony as necessary to ensure the Commission's ability to conduct its business in a reasonably efficient manner.

SECTION 2. Code of Conduct. Members of the public in attendance at Commission meetings must conduct themselves in accordance with the following Code of Conduct:

- a. Speakers must cease speaking immediately when their time has ended;

- b. Public comment on the agenda items must relate to the subject matter of that item;
- c. General public comment is limited to subjects within the jurisdiction of the Commission;
- d. Public comment does not include the right to engage in a dialogue with Commission members, the Executive Director nor Commission staff; members of the public shall remain respectful of the forum, and refrain from uttering, writing, or displaying profane, personal, threatening, derogatory, demeaning, or other abusive statements toward the Commission, any member thereof, staff, or any other person;
- e. Members of the audience should be respectful of the views expressed by speakers, the Executive Director, Commission staff, and Commission members and refrain from clapping, cheering, whistling, or otherwise disrupting the orderly conduct of the meeting;
- f. Any person engaging in conduct that disrupts the meeting is subject to being removed from the Commission meeting as described in Section 4, below; and
- g. If anyone witnesses conduct or behavior by other members of the public that disrupts their ability to remain engaged or participate in the Commission meetings, please notify staff.

SECTION 3. Signs. Any member of the public who brings signs, posters, or other large objects to Commission meetings must not block the view of other public members of the audience and may be asked to relocate as necessary.

SECTION 4. Disruptive Conduct; Removal from Meeting Room; Clearing the Room. In accordance with Government Code section 54957.95, at the discretion of the Chair or upon majority vote, the Chair may order the removal of any individual who is willfully disrupting the meeting so as to render the orderly conduct of such meeting unfeasible. Prior to removing an individual, the Chair must warn the individual that their behavior is disrupting the meeting and that the failure to cease their behavior may result in removal. The Chair may then remove the individual if the individual fails to promptly cease the disruptive behavior. No warning is necessary if the subject behavior constitutes use of force or a true threat of force.

Under Government Code section 54957.9, if any meeting is willfully interrupted by a group or groups of persons rendering the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, it may be ordered that the meeting room be cleared and the meeting can continue in session. Representatives of the press or any news media, except those participating in the disturbance, must be allowed to attend any session held pursuant to this section. Nothing shall prohibit the Commission from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

Disruptive conduct includes, but is not limited to, any of the following acts:

- a. Disorderly, contemptuous or insolent behavior toward the Commission or any member thereof, actually disrupting the due and orderly course of a meeting;

- b. A breach of the peace, boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet, or violent disturbance, actually disrupting the due and orderly court of a meeting;
- c. Disobedience of any lawful order of the Chair, which shall include an order to be seated or to refrain from addressing the Commission actually disrupting the due and orderly course of a meeting; and
- d. Any other conduct that actually disrupts the due and orderly course of a meeting.

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