

**BOARD OF
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COUNTY OF LOS ANGELES

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Chief Executive Officer

Fesia A. Davenport

"To Enrich Lives Through Effective and Caring Service"

September 24, 2024

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

Dear Supervisors:

**RECOMMENDED REVISIONS TO BOARD POLICY 3.055
ALL DISTRICTS AFFECTED
(3-VOTES)**

SUBJECT

Recommendation to approve the proposed revisions to Board Policy 3.055; Policy of the Board of Supervisors Concerning Certain Meetings of Board Deputies. The revisions will improve public access to participate in Board Deputies' meetings in an in-person or virtual capacity.

IT IS RECOMMENDED THAT THE BOARD:

Adopt the attached proposed revised Board Policy 3.055 to accept the recommended language in the amended policy to improve public participation in Board Deputies' meetings. The Board's adoption of the revised Policy would permanently add hybrid and virtual meetings as an additional option for public meetings if those meetings follow certain specified requirements under the Ralph M. Brown Act (Brown Act).

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On March 19, 2024, the Board of Supervisors (Board) adopted a motion requesting the Chief Executive Officer to present revisions to Board Policy 3.055 (Policy) to the Audit Committee for review and consideration. The Chief Executive Office has reviewed the Policy and recommends the enclosed amendments to the language and to extend the sunset review date from July 16, 2006 to July 16, 2027.

The adoption of these proposed amendments to the Policy will provide the public and the Board the greatest operational flexibility in conducting meetings with the priority of ensuring that the public

access gained during the COVID-19 emergency health mandates is not compromised.

Policy Application

The Chief Executive Office also took the opportunity to review and revise the Policy to define in specificity the types of meetings that must comply with the Policy. The Policy applies to any meeting where there are Board Deputies present from three or more Board Offices to discuss anything that is within the subject matter jurisdiction of the Board and which meeting is chaired by a Board Deputy. These meetings are commonly referred to as Cluster Meetings, Policy Meetings or Agenda Review Meetings. There are other Board chaired meetings that may fall under this Policy.

Improving Access

The proposed modifications to the Policy, as shown in the enclosure, will provide two additional options for conducting a meeting subject to the Policy: 1) as a hybrid meeting, where the meeting takes place in person and remotely; or 2) as remote-only meetings. If a meeting that falls under the Policy is conducted as a hybrid or remote-only meeting, it will need to adhere to certain minimum requirements outlined in the proposed amendments. These requirements include providing the public with the opportunity to attend the meeting via a call-in option or an internet-based option, among others.

Finally, if a meeting that falls under the Policy is held as a hybrid meeting or as a remote-only meeting and it complies with the minimum requirements specified in the proposed amendments, it will not be subject to the teleconferencing requirements of the Brown Act. However, the meeting will still need to comply with all other applicable provisions of the Brown Act that pertain to the specific type of meeting.

Implementation of Strategic Plan Goals

The recommended action supports the County's Strategic Plan North Star 3 Realize Tomorrow's Government Today by incorporating technological advance and allowing flexibility to conducting meetings. These changes will improve the public's access and participation in the County decision making process.

FISCAL IMPACT/FINANCING

There is no fiscal impact.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This Policy was presented to the Audit Committee at its meeting held on August 21, 2024. The Audit Committee reviewed and approved the proposed draft Policy pending final approval by the Board.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the proposed revised Policy allows the following: 1) improves the public's access to participate in Board deputies' meetings by taking advantage of today's teleconferencing technology; and 2) modifies vague policy language by identifying the types of meetings that must follow the Brown Act.

The Honorable Board of Supervisors

9/24/2024

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Fesia A. Davenport". The signature is fluid and cursive, with a large initial "F" and "D".

FESIA A. DAVENPORT

Chief Executive Officer

FAD:JMN:MRM

RCP:DC:cc

Enclosures

c: Executive Office, Board of Supervisors
County Counsel
Audit Committee



Los Angeles County BOARD OF SUPERVISORS POLICY MANUAL

| Policy #: | Title: | Effective Date: |
|-----------|---|-----------------|
| 3.055 | Policy of the Board of Supervisors Concerning <u>Certain</u> Meetings of Board Deputies on Matters to Be Calendared for Board Action | 04/02/02 |

PURPOSE

Establishes policy for certain meetings of Board of Supervisors (Board) deputies, as provided below (Policy) ~~called to discuss matters that have been calendared for Board of Supervisors (Board) action;~~ Meetings subject to this Policy must be conducted in accordance with the provisions of the Ralph M. Brown Act (Brown Act) (Government Code section 54950, et seq.), regardless of whether or not such meetings are covered by the ~~Ralph M.~~ Brown Act.

REFERENCE

April 2, 2002, Synopsis No. 94, Recommendation No. 10

July 16, 2002, Synopsis No. 49

February 7, 2023 [Board Order 4](#)

June 27, 2023 [Board Order 7](#)

August 8, 2023 [Board Order 15](#)

March 19, 2024 [Board Order 15](#)

POLICY

Deputies in the office of each member of the Board ~~of Supervisors~~ serve as staff to each individual ~~s~~Supervisor, respectively, for the purpose of receiving and transmitting information pertaining to County of Los Angeles business. No deputy of any Supervisor or other employee of the County ~~of Los Angeles~~ is, or shall be, authorized to function as a personal intermediary of a member of the Board to participate, individually or collectively, in the development of a collective concurrence among the members of the Board ~~of Supervisors~~ as to action to be taken on any item or matter by the Board.

The Board recognizes that Board deputies ~~may~~ meet ~~from time to time~~ with representatives of County departments, other public agencies, and private agencies for the purposes of obtaining information and hearing points of view. The Policy applies to any meeting where there are Board deputies present from three or more Board Offices to discuss anything that is within the subject matter jurisdiction of the Board and which meeting is chaired by a Board Deputy (the Board Deputy serving in the role as the Chair is responsible for preparing the meeting agenda, opening the meeting, facilitating discussion, and closing the meeting). These meetings are commonly referred to as Cluster Meetings, Policy Meetings or Agenda Review Meetings (these 3 descriptions are not meant to be exhaustive). ~~It shall be the policy of the Board of Supervisors that in the event Board deputies from the offices of three or more Supervisors attend the same meeting for purposes of efficiency to discuss matters that have been calendared, or which a County department expects to be calendared, on an agenda for action by the Board of Supervisors within the next 30 days, such a meeting~~ These meetings chaired by Board Deputies shall be conducted in accordance with the procedures and provisions of the ~~Ralph M.~~ Brown Act.

This ~~p~~Policy and practice shall be followed even though any such groups of Board deputies and information meetings have not been created by and do not function pursuant to formal action of the Board ~~of Supervisors~~, and are thus not legally subject to the open meetings requirements of the ~~Ralph M.~~ Brown Act (~~Government Code Section 54950, et. seq.~~). No such informational meeting of Board deputies shall be employed to develop a collective concurrence as to action to be taken on any item or matter by the members of the Board ~~of Supervisors~~.

Notwithstanding the general rule of this Policy above, and, in addition to the teleconferencing options expressly available under the Brown Act, a meeting that is otherwise subject to this Policy may be conducted either as a hybrid meeting, where the meeting is conducted both in person and remotely, or remote-only. In person means a meeting that is conducted at a singular physical location. Remotely means a meeting that is conducted remotely by using a two-way audiovisual platform or a two-way telephonic service or both. If a meeting that is otherwise subject to this Policy is conducted either as a hybrid meeting or as a remote-only meeting, such a meeting, at a minimum, shall comply with the following requirements:

- (1) notice of the meeting shall be given and agenda shall be posted as required by the Brown Act;
- (2) members of the public shall have access to the meeting, and the agenda shall provide an opportunity for members of the public to address the body directly pursuant to the Brown Act;
- (3) notice shall be given of the means by which members of the public may access the meeting and offer public comment in real time; and
- (4) the agenda shall identify and include an opportunity for members of the public to attend via a call-in option or an internet-based service option.

If a meeting that is otherwise subject to this Policy is conducted as a hybrid meeting, members of the public shall have the right to appear and provide public comment from the in-person location in addition to a call-in or an internet-based service option. If a meeting

that is otherwise subject to this Policy is conducted as a remote-only meeting, there shall be no requirement for having a physical location from which members of the public may attend or comment. If a meeting that is otherwise subject to this Policy is held as a hybrid meeting or as a remote-only meeting and it complies with the requirements of this paragraph, as noted above, that meeting does not otherwise have to comply with the teleconferencing requirements of the Brown Act. However, such a meeting shall comply with all otherwise applicable provisions of the Brown Act relating to a specific type of meeting or proceeding.

RESPONSIBLE DEPARTMENT

Chief Executive Office and County Counsel

DATE ISSUED/SUNSET DATE

Issue Date: July 16, 2002
Review Date: August 21, 2024

Sunset Review Date: July 16, 2006
Sunset Review Date: July 16, 2027