

EXECUTIVE OFFICE



BOARD OF SUPERVISORS

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EXECUTIVE OFFICE
BOARD OF SUPERVISORS

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January 12, 2023

TO: County Commissions

FROM: Celia Zavala  for
Executive Officer

SUBJECT: VIRTUAL AND HYBRID COMMISSION MEETINGS

At its meeting held on January 10, 2023, the Board of Supervisors (Board) again made a finding and approved a motion that allows Board-created bodies to continue teleconferencing under Assembly Bill (AB) 361 for an additional 30 days. The Board may continue to consider findings monthly, until the COVID-19 State of Emergency has been lifted.

This guidance is intended to provide updates on pertinent legislation and resources that are applicable to County Commissions. The Governor announced that the COVID-19 State of Emergency will end on February 28, 2023, thereby withdrawing the exceptions to the teleconference requirements provided in AB 361. Beginning March 1, 2023 (and assuming the Board, after the expiration of the January 10, 2023 findings, has again made findings that would allow Board-created bodies to continue to teleconference under AB 361 for another 30 days), all meetings will require either in-person attendance, compliance with the Brown Act's traditional teleconferencing requirements, or compliance with the Brown Act's new teleconferencing requirements under AB 2449 (effective January 1, 2023) as indicated below.

ASSEMBLY BILL 361

The Board's monthly findings under AB 361 allow the Board and commissions, committees, boards, task forces, etc., created by the Board or at the Board's direction, to continue to meet virtually under relaxed teleconferencing rules (i.e., without a requirement to post the location or provide access to the teleconferencing location) during declared states of emergencies preventing the public from safely gathering. Independent Commissions may continue to make AB 361 findings independent of the Board.

Also, under AB 361, Commissions are still required to make public meetings accessible telephonically or electronically to all members of the public seeking to address the Commission whether some members participate in person or not.

INTRODUCTION OF ASSEMBLY BILL 2449

On September 13, 2022, the Governor signed into law [AB 2449](#), which became effective on January 1, 2023. Provisions of this bill permit members of a legislative body of a local agency to participate remotely and not identify their location under certain narrow conditions including:

- At least a quorum of the members are present **in person** from a singular public location and the member who seeks to participate remotely must announce if any person over 18 years old is present;
- The legislative body provides two-way audio-visual platform or two-way telephonic services with live webcasting of meeting; and
- The agenda notifies the public of the ways to access the meeting and offer public comment via a call-in or internet-based service option, and **in person**.

Once there is no declared state of emergency (or when AB 361 no longer applies), [AB 2449](#) allows for Commissioners to meet without identifying each teleconference location in the notice and agenda of the meeting, and without making each teleconference location accessible to the public under certain circumstances, but only if there is "**just cause**" or "**emergency circumstances**" justifying the remote appearance. A member may not participate remotely for "just cause" for more than two meetings per year, and may not participate remotely for any reason for more than three consecutive months or 20% of meetings per year. Each Commission will need to track and monitor Commissioners' use of this provision to ensure compliance with the law.

ALTERNATE MEETING LOCATIONS

In partnership with the Los Angeles County Library, the Executive Office of the Board of Supervisors has identified library locations throughout the County (subject to availability)



that may be used as alternate meeting locations, with access to hybrid meeting equipment, where Commission staff can reserve a conference room for a Commissioner to participate remotely in a Commission meeting. This is offered as an alternative option and convenience for Commissioners that aligns with the traditional teleconferencing options under the Brown Act for which the meeting locations would be posted on the agenda and members of the public would also be permitted to attend the meeting from that location. Commission staff can access the QR

Code to view all library locations, protocols, steps to reserve a library conference for a Commissioner, and equipment instructions. Also, we are pleased to share a short [video](#) to further explain the use of alternate meeting locations.

Please note this guidance is subject to change and additional guidance may be provided. Also, to remain in alignment with Public Health protocols, please visit the Los Angeles County Department of Public Health [website](#) or view the [Los Angeles County Public Health Officer Order](#).

Should you have any questions, please work with your Commission's counsel to ensure compliance with applicable laws, or you may contact Twila P. Kerr, Chief of Commission Services Division, at tkerr@bos.lacounty.gov or commserv@bos.lacounty.gov.

CZ:LL:tpk