

Office of the County Counsel

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Contra Costa County

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Date: June 1, 2022

To: Department Heads
Fire Chiefs

From: Mary Ann McNett Mason, County Counsel

Subj: Board Direction on Conduct of Live Advisory Body Meetings

On May 24, the Board of Supervisors again made findings supporting the need for the continuance of virtual meetings to prevent the spread of the COVID-19 virus and authorized its advisory bodies to meet virtually for the next thirty days, at their option. An advisory body may assess its circumstances and the needs of the community it serves and determine whether to meet virtually or live, subject to certain parameters.

The Board has directed that to limit the spread of COVID-19, the following rules apply to “live” meetings of advisory bodies:

- A body that meets live must conduct the meeting in a hybrid format that provides the body’s members and staff the option to participate remotely in any meeting;
- The meeting format must permit members of the public to access the meeting both remotely and in-person.
- The meeting format must permit members of the public to comment in person and either via a virtual platform like Zoom or by calling in on a line that can be heard by all attending or observing the meeting.
- All votes must be by roll call.
- If the body loses the ability to broadcast its meeting remotely, or if the public loses the ability to comment remotely for a reason in the body’s control, the meeting must be stopped until access can be restored.
- A body that cannot meet the above requirements may not hold live meetings.

The following language must be included on the body’s meeting agenda to permit the remote participation of members, staff, and the public:

“As permitted by Government Code section 54953 (e), and in accordance with the Public Health Officer’s recommendations for virtual meetings and social distancing, *(insert- Board, Commission, Committee)* members may participate in the meeting remotely. The meeting will be accessible in-person and via *(specify- method of remote participation and how to access)* to all members of the public. Persons who wish to provide public comment may *(specify method for remote comment and how to access.)*”

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June 1, 2022

Page 2 of 2

These rules will remain in place for advisory bodies until further notice. Please share this memorandum with those members of your staff supporting advisory bodies. Staff to the Planning Commission, Merit Board, and Assessment Appeals Board should also encourage those bodies to conduct their meetings consistent with these rules.

Should your staff have questions about the technology and process needed to conduct a hybrid meeting that permits both remote and live participation, please contact the Clerk of the Board at Jami.Morritt@cob.cccounty.us or at 925-655-2005.

MAM:am

cc: Members, Board of Supervisors
Chiefs of Staff