

CATEGORY: Policy

COMMITTEE: Director's – Laferriere-Holloway

TITLE: CF 23-0002-S17 Local Legislative Bodies / Virtual Meetings / Ralph M. Brown Act Amendment

PURPOSE: To provide MVCC support to the LA City Council seeking the State Legislature to amend the Brown Act to allow local legal legislative bodies, including appointed boards, commissions, advisory bodies, and Neighborhood Councils, to continue to conduct most meetings virtually in the absence of any special circumstances, subject to appropriate safeguards to ensure full and robust opportunities for public participation, including by persons who lack means of digital access

BACKGROUND:

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, prior to the outset of the COVID pandemic, the Ralph M, Brown Act placed such significant restrictions on the use of teleconferencing or virtual meetings that this tool was rarely used; in particular, the Brown Act required that all teleconferencing locations be open to the public; and

WHEREAS, when COVID restrictions prevented in-person meetings, on March 17, 2020, the Governor signed Executive Order #N-29-20, which modified the Brown Act to permit local governing bodies to meet virtually; the State Legislature subsequently enacted AB 361, which would until January 1, 2024 authorize virtual meetings, but only during a declared state of emergency and when state or local health officials have imposed or recommended measures to promote social distancing or when meeting in person would present imminent risks to the health or safety of attendees; and the State Legislature most recently enacted AB 2449, which allows for virtual participation by individual members of a local legislative body, but only upon a showing of just cause and for a limited number of meetings, and still requires a quorum of the legislative body to meet in a physical location that is open to the public; and

WHEREAS, AB 361 and AB 2449 fail to fully recognize that virtual meetings make it easier for people to participate in local government meetings as members of the public, and because the Brown Act applies to boards, commissions and advisory bodies created by a local legislative body, the strict limits on virtual meetings also reduces the pool of people who are able to serve on these bodies; and

WHEREAS, these restrictions on virtual meetings especially burden people with family care obligations, less-flexible work schedules, physical limitations and/or who do not have access to a car, which is a particular problem in jurisdictions like the City of Los Angeles whose residents are spread across large geographic areas; and allowing virtual meeting has especially benefited the 99 Los Angeles Neighborhood Councils with nearly 2,000 volunteer Board members;

WHEREAS, in Los Angeles, public attendance and comment has increased substantially during the period during which virtual meetings have become standard practice;

NOW, THEREFORE, BE IT RESOLVED, with concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2023-2024 State Legislative Program SUPPORT for legislative action that would amend the Ralph M. Brown Act to allow local legal legislative bodies, including appointed boards, commissions, advisory bodies, and Neighborhood Councils, to continue to conduct most meetings virtually in the absence of any special circumstances, subject to appropriate safeguards to ensure full and robust opportunities for public participation, including by persons who lack means of digital access.

THE MOTION: The MVCC is FOR the LA City Council, in concurrence with the Mayor of LA, including in its 2023-2024 State Legislative Program support legislation to allow local legal legislative bodies, including appointed boards, commissions, advisory bodies, and Neighborhood Councils, to continue to conduct most meetings virtually in the absence of any special circumstances, subject to appropriate safeguards to ensure full and robust opportunities for public participation, including by persons who lack means of digital access.

DIRECTED TO: City Council and Committees

ACTION/VOTE COUNT: