



- **Executive Committee**

2/22/2022 Committee Meeting

7a

Subject

Report on options for continued remote-teleconference meetings and meetings in person

Executive Summary

At the February 8, 2022 board meeting, the Board adopted a resolution to continue remote teleconference meetings for a 30-day period pursuant to the AB 361 amendments to The Ralph M. Brown Act (“Brown Act”), which allows legislative bodies to hold teleconference meetings without complying with the teleconferencing requirements imposed by the Brown Act. With that resolution in place, the Board has asked staff to bring options for consideration on how board members may attend meetings in person.

Details

Background

The Board has expressed a desire to return to in-person meetings and has asked staff to bring options on how board members may return to attend meetings in person. Within the last few weeks, the statewide indoor masking mandate has been lifted for those who are vaccinated. However, the State Public Health Officer recommends that fully vaccinated individuals continue indoor masking and requires masking indoors for unvaccinated individuals. The latest County of Los Angeles Department of Public Health (“LADPH”) Order from February 15, 2022, continues to require indoor masking regardless of vaccination status. In addition, the LADPH Order indicates that although the transmission rates remain high, the rates are moving steadily downward. Metropolitan is requiring employees, board members, and visitors near others or in cubicles (not enclosed offices) to wear a surgical or higher-grade mask, such as a KN95 or N95 mask when indoors. For those coming to Metropolitan facilities, a health self-screening questionnaire is required. As Metropolitan is not tracking vaccination status, Metropolitan anticipates maintaining mask and social distancing until at least April when employees will begin transitioning back into the office.

At the February 8, 2022 board meeting, the Board adopted a resolution to continue remote teleconference meetings for a 30-day period. The resolution expires after the March 10, 2022 board meeting. If no resolution is adopted at the March board meeting, the Board will be subject to regular Brown Act requirements for meetings. This means if any board member elects to use teleconferencing: (1) agendas will be required to be posted at all teleconference locations; (2) agendas will need to list the address of each teleconference location at least 72 hours before the meeting; (3) any teleconference location must be accessible and open to the public and available for public comment and observation; (4) a quorum of the board members must participate from within the territorial bounds of Metropolitan’s jurisdiction; and (5) members of the public can attend the meeting in person.

The options for board members to attend in person for the March meetings are as outlined below.

Option 1 – Hybrid March Board and Committee Meetings

Under this option, the board members may attend in person at their own option. Those who wish to attend remotely can continue the status quo with remote teleconferenced meetings as the previous February 8, 2022 resolution remains in place until March 10, 2022. Board members who wish to attend the meeting in person must practice social distancing, wear an approved surgical, N95 or KN95 mask and complete the health self screening. Metropolitan will provide KN95 masks for all those participating in person. As the resolution remains in place, there is no legal requirement for the public to attend. This option does not require any action by the Board.

Option 2 – Continue Remote Only Meeting

The Board will continue the status quo with remote only teleconferenced meetings. This means all board members will remain offsite and participate by zoom. No board action is required for this option as the February 8, 2022 resolution is in place until March 10, 2022. It may be extended if a new resolution is adopted at the March board meeting. The option to renew will remain on the March agenda for the Board's consideration should the required conditions exist.

Option 3 – Allow the February 8, 2022 to Expire

Under this option, for meetings after March 10, the Board would allow the February 8, 2022 resolution to expire. This means that after the March 10, 2022 meeting, all board and committee meetings will be subject to the regular requirements of the Brown Act. The option to renew the resolution will remain on the March agenda for the Board's consideration should the required conditions exist. Any board members who elect to attend via teleconferencing must: (1) post agendas at their teleconference location; (2) Metropolitan must provide the address of each teleconference location at least 72 hours before the meeting in the agendas; (3) any teleconference location must be accessible and open to the public and available for public comment and observation; (4) a quorum of the board members must participate from within the territorial bounds of Metropolitan's jurisdiction; and (5) members of the public may attend the board and committee meetings in person. Board members attending the meetings in person must practice social distancing, wear an approved surgical, N95 or KN95 mask and complete the health self screening. Metropolitan will provide KN95 masks for all those participating in person. If a new resolution is not adopted, this option does not require any action by the Board.

Policy

Metropolitan Water District Act Section 61: Ordinances, Resolutions and Orders

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

By Minute Item 52305, dated March 9, 2021, the Board authorized the General Manager to express support for AB 361

Fiscal Impact

None



Adel Hagekhalil
General Manager

2/17/2022
Date