



Alameda County Human Relations Commission



Meeting Agenda

Wednesday, October 26, 2022

Regular Meeting: 6:30 PM -8:30 PM

The mission of the Alameda County Human Relations Commission is to preserve human rights and work to foster mutual respect for all people who live or work in Alameda County.

Website <https://www.alamedacountysocialservices.org/about-us/Workforce-and-Benefits-Administration/office-public-affairs/commission-human-relations>

Facebook: <https://www.facebook.com/ACHumanRelationsCommission>

MEETING LOCATION	COMMISSION MEMBERS	
Due to the COVID-19 emergency, this meeting will be held remotely. Public participation is welcome.	Vacant, Chair	District 1
	Tejinder Dharmi, Vice Chair	District 1
To participate: Join the webinar: https://us06web.zoom.us/j/88234276057	Royle Roberts, Secretary	District 3
Or One tap mobile :	Olga Borjón, Treasurer/Representative to the Commission on the Status of Women	District 2
US: +16699006833,,88234276057# or +14086380968,,88234276057#	Lara Maxey, Member at Large	District 3
Or Telephone: Dial(for higher quality, dial a number based on your current location):	Vacant	District 1
US: +1 669 900 6833 or +1 408 638 0968 or +1 346 248 7799 or +1 253	Smile Dhir	District 2
215 8782 or +1 646 876 9923 or +1 301 715 8592 or +1 312 626 6799 or	Vacant	District 2
888 475 4499 (Toll Free) or 877 853 5257 (Toll Free)	Vacant	District 3
Webinar ID: 882 3427 6057 International numbers	Vacant	District 4
available: https://us06web.zoom.us/j/kcvEAGawD	Vacant	District 4
For accommodations, please contact staff Kim Fogel at least 72 business hours in advance at (510) 645-9339 or krfogel@acgov.org .	Vacant	District 4
This agenda may also be obtained online at the Alameda County Social Services Agency website .	Miguel Dwin	District 5
	Prem Pariyar	District 5
	Kamardip Singh	District 5
	Vacant	Conference of Mayors

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NOTICE FOR PUBLIC COMMENT DURING REMOTE MEETING:

The Human Relations Commission welcomes you to its meetings and your interest is appreciated. Public comment is permitted after each item on the agenda and during open public comment for items not on the agenda. If you wish to speak:

- Instructions on joining a meeting by video conference are available at <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-meeting>
- If using a laptop: use the *raise your hand* button. When you are called to speak, please unmute your speaker.
- If calling in: dial *9 to raise your hand to speak. When you are called to speak, the host will unmute you to enable you to speak. If you decide not speak, you may hang up and dial back into the meeting or simply notify the host you do not wish to speak when you are unmuted and asked to speak. When addressing the Commission, please give your name for the record before your presentation. If you wish to speak on a matter not on the agenda, please wait until the Chair calls for public input at the end of the Regular Calendar. NOTE: Only matters within the Commission’s jurisdiction may be addressed. Time limitations shall be at the discretion of the Chair.

Item No.	Topics	Presenters	Objective & Time (All times approximate)
1.	Call to Order, Welcome, Roll Call/Introductions	Secretary, Roberts	Information (6:30-6:35 PM)
2.	Approval of Minutes: a. July 27, 2022 b. September 28, 2022	Commissioners	Information/Action (6:35-6:40 PM)
3.	County Counsel Update on AB2449 (see attached handout)	Victoria Wu/Samantha Stonework-Hand Alameda County County Counsel’s Office	Information/Action (6:40-7 PM)
4.	Action (VOTE) to continue remote meetings Discussion and vote to continue remote meetings during the state of emergency, Alameda County, Human Relations Commission* Findings by the Alameda County Board of Supervisors to Continue Meeting by Teleconference. Staff Recommendation: Find that 1) the <u>Human Relations Commission</u> has reconsidered the circumstances of the state of emergency, and 2) state or local officials continue to impose or recommend measures to promote social distancing. This recommendation follows the 09/28/2021 County Board of Supervisors’ adoption of the Health Care Services Agency Director’s recommendation that the Board implement social distancing for its meetings. For the same reasons, the	Commissioners	Information/Action (7:00-7:05 PM)

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	same rationale applies for the meetings of the <u>Human Relations Commission</u> and its committees.		
5.	Chair's Report <ul style="list-style-type: none"> a. Update and ask on vacant commission seats <ul style="list-style-type: none"> a. Vacancies: D: 1 (1); 3 (1); 4 (2); conference of mayors 2+4 no show b. BOS Contacts 2, 4 (outreach) b. Commission executive vacancies c. Update and discussion of commission retreat <ul style="list-style-type: none"> a. Facilitator session 2 d. Commission mixer e. Other 	Secretary, Roberts	Information/Action (7:05-7:20 PM)
6.	Commission Awards Event	All Commissioners	Information/Action (7:20-7:35 PM)
7.	Treasurer's Report <ul style="list-style-type: none"> • Updates 	Commissioner/Treasurer Borjón and staff	Information/Action (7:35-7:40 PM)
8.	Holiday schedule – possible reschedule of the following meetings: -November 23, 2022 (night before Thanksgiving) -December 28, 2022 (falls between Christmas and New Years Holidays)	Commissioners	Information/Action (7:40-7:45 PM)

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9.	Committee Updates a. All Commissioners should be connected to at least one committee. b. Reminder to hold at least one meeting a month. Send agenda to Kim at least three days prior to posting deadline, which is 72 hours in advance of the meeting.	Commissioners/Committees	Information/Action (7:45-8 PM)
10.	Mission Moments Exciting work happening in your district/work you participated in, accomplishment(s) you wish to mention, any relevant upcoming events you want to uplift etc.	Commissioners	Information/Action (8-8:10 PM)
11.	Open Public Comment <ul style="list-style-type: none"> • Items not listed on the agenda 	Secretary, Roberts	Information/Action (8:10-8:15 PM)
12.	Agenda Building for Next Meeting a. Provide any suggestion to Chair by email. b. Invite presenters to HRC meeting: County Counsel, Board of Supervisors, County agency ED, partner organizations etc. c. Staff announcement about upcoming agenda deadlines (tentative)	Commissioners/Staff	Information/Action (8:15-8:25 PM)
13.	Adjournment	Commissioners	Information (8:25-8:30 PM)

Attachment: Update on AB2449 (see Item 3 above)

NEXT HRC MEETING:

Regular Meeting: November 23, 2022, 6:30 PM (possible reschedule, see Item above)

This is to provide an update and direction for continuing remote meetings while the Governor maintains a state of emergency due to the COVID-19 pandemic.

***Background: On September 16, 2021, the governor signed AB361 (attached), which amends the Brown Act teleconference requirements provided certain findings are made by a legislative body. The Alameda County Board of Supervisors (BOS) took action at the September 28, 2021 meeting to continue social distancing at all meetings by the BOS and its committees, as recommended by the attached letter from the Alameda County Health Care Services Agency (HCSA). Per County Counsel, each of the Boards and Commissions created by the BOS should adopt a “resolution” or make similar findings to continue to conduct meetings remotely.**

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Section XI of HRC Bylaws – Committee Responsibilities

The staff and the members of each committee will attempt to develop expertise in their area of responsibility. They should develop knowledge of legislation, resources and programs, not only in Alameda County, but in other communities as well. They will serve as a resource to the overall Commission in their subject area. They will have a responsibility for appropriate data collection and for making recommendations in the area of legislation, program development and program implementation. The Commissioners on the committee, with the assistance of staff, have responsibility for all the programs and projects aimed at carrying out the Commission’s responsibilities and policies in their subject area.

HRC COMMITTEES

Policy/Advocacy & Equity Committee:

Chair Commissioner Pariyar

Commissioner Dwin

Commissioner Singh

Community Committee:

Chair Vacant

Commissioner Roberts

Commissioner Dhami

Social Media and Marketing Committee:

Chair Commissioner Maxey

Commissioner Dhami

Chair vacant

Commission on the Status of Women Committee:

Commissioner Borjón

Housing & Homelessness Committee:

Chair Commissioner Dwin

Commissioner Borjón

Commissioner Roberts

Health and Safety Committee:

Chair Vacant

Commissioner Borjón

Vacant

Ad Hoc Budget Committee:

Chair Committee

Chair vacant

Commissioner Maxey

Vacant

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County Counsel Update

AB2449 was signed into legislation in September 2022 and becomes effective January 1, 2023. It sets out the rules and limitations for conducting virtual meetings under the Brown Act.

The Brown Act rules for teleconferencing by a commission member (prior to the COVID pandemic) required that the full address of the remote location be noticed on the agenda, that the agenda be posted at that remote location, and required that remote location be accessible to any member of the public to attend the meeting.

During the pandemic, as long as the Governor's state of emergency is not rescinded, many of the Brown Act requirements were excused for virtual meetings to occur. When AB361 was passed by the legislature, the Brown Act was modified to allow virtual meetings to occur as long as each commission complied with the requirements of making the following finding every 30 days: Find that 1) the HRC has reconsidered the circumstances of the state of emergency, and 2) state or local officials continue to impose or recommend measures to promote social distancing. This recommendation follows the 09/28/2021 County Board of Supervisors' adoption of the Health Care Services Agency Director's recommendation that the Board implement social distancing for its meetings. For the same reasons, the same rationale applies for the meetings of the HRC and its committees.

Note, AB361 sunsets on January 1, 2024, or when the Governor lifts the state of emergency, whichever is occurs first.

AB 2449 provides boards and commissions with long-term permission to hold remote meetings without having to give the public access to private locations, subject to certain restrictions.

AB 2449 reiterates the standard Brown Act teleconference rules, re-codifies the rules set out in AB 361 for times of declared emergency, and also provides for relaxed teleconferencing rules when a member of the board/commission needs to attend remotely for an emergency, or other reasons supported by "just cause."

Under the new teleconference rules, a board/commission may hold a "hybrid" (partial teleconference, partial in-person) meeting without having to comply with certain procedural requirements (post agendas at teleconference locations, identify teleconference locations in the agenda, make all teleconference locations open to the public) in the following limited circumstances:

1. One or more members of the board/commission (but less than a quorum) have "just cause" for not attending the meeting in person.

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Just cause is defined as :

- a. childcare or family caregiving need
 - b. contagious illness
 - c. physical or mental disability need, or
 - d. travel while on official public business)
2. One or more members of the board/commission (but less than a quorum) experience an *emergency circumstance* (a physical or family medical emergency that prevents in-person attendance).

In order to participate remotely under the *just cause* provisions, the commissioner must notify the HRC at the earliest possible opportunity, including at the start of a meeting, of their need to participate remotely and provide a general description of the circumstances related to one of the four items in #1, above.

Emergency circumstances means a physical or family medical emergency that prevents a commissioner from attending in person. In order to participate remotely under the *emergency circumstances* provisions, the commissioner must request that the HRC allow them to participate in the meeting remotely because of emergency circumstances and the HRC must take action to approve the request.

A commissioner must make a request to participate remotely under the *emergency circumstances* provisions as soon as possible. The HRC may take action on this request at the earliest opportunity. If the request does not allow sufficient time to place it on the agenda for the meeting for which the request is made, the HRC may take action on the request at the beginning of the meeting by majority vote.

The HRC must request a general description of the circumstances relating to the commissioner's need to appear remotely. This description does not have to be more than 20 words and the commissioner does not have to disclose any personal medical information.

If HRC commissioners participate remotely under this new law for either the *just cause* or *emergency circumstances* situations described above then the following rules apply:

- The HRC must provide a way for the public to remotely hear, visually observe, and remotely address the HRC, either by a two-way audiovisual platform or a two-way telephonic service and a live webcasting of the meeting.
- The HRC must provide notice of how the public can access the meeting and offer comments.

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County Counsel Update**

- The agenda must identify and include an opportunity for the public to attend and directly address the HRC through a call-in option, an internet-based service option, and in-person at the location of the meeting.
- The HRC cannot require comments to be submitted before the start of the meeting. The public must be allowed to make “real time” public comment.
- If there is a disruption to the meeting broadcast or in the ability to take call-in or internet-based public comment, no further action can be taken on agenda items until the issue is resolved.
- The HRC must implement a procedure for receiving and resolving requests for reasonable accommodations for individuals with disabilities and must give notice of these procedures.
- Commissioners participating remotely must participate through both audio and visual technology.
- Commissioners participating remotely must publicly disclose at the meeting before any action is taken whether any other individuals 18 years of age or older are present in the room at the remote location with the member and the general nature of the commissioner’s relationship with the individual.
- **A commissioner may not participate in meetings solely by teleconference under this law for more than three consecutive months or 20% of the regular meetings for the HRC within a calendar year. If the HRC regularly meets less than 10 times a year, a commissioner may not participate remotely for more than two meetings.**

The HRC may still meet via teleconference by following the traditional Brown Act rules of identifying the teleconference site on the HRC’s agenda and ensuring it is accessible for the public to attend. Further, the HRC may meet by teleconference under AB 361 until January 1, 2024 during the Governor’s proclaimed State of Emergency and as long as other requirements are met.