

Continuation of Remote Meetings for Brown Act Boards and Commissions

State law requires local agency legislative bodies (which includes the HPG) to comply with the state's open meeting law referred to as the Ralph M. Brown Act (also called the "Brown Act"). Since March 2020, most legislative bodies have been operating under Executive Orders which suspended certain Brown Act provisions on teleconferencing allowing members to participate remotely. That Executive Order ended on September 30, 2021.

As of October 1, 2021, AB 361 allows for a continuation of teleconference meetings in certain circumstances. Following is a summary of AB 361 and its impact on public meetings and the steps required to utilize the teleconferencing option offered in AB 361.

At the next meeting, the HPG or Committee will need to take the actions detailed below if the members desire to continue meeting remotely.

I. Ordinary Brown Act Rules for Teleconferencing ("General Teleconferencing Rule")

Under the ordinary operation of the Brown Act (Gov. Code §54953(b)) a legislative body may use teleconferencing under the following circumstances:

- a. Post agendas at all teleconference locations;
- b. All teleconferenced locations are listed in the notice and agenda of the meeting;
- c. At least a quorum of members are located within the jurisdiction of the legislative body; and
- d. Members of the public are allowed to speak at each teleconferenced location.

II. Governor's Executive Orders Authorized Simplified Teleconferencing Rules, But These Ended on Sept. 30, 2021.

The County and other legislative bodies throughout the state have been using a simplified teleconferencing method, authorized by the Governor's Executive Orders related to the COVID-19 pandemic. This allowed members of legislative bodies attend meetings remotely without following the General Teleconferencing Rule set forth above.

III. New Teleconferencing Method Available Effective October 1, 2021, and Actions HPG and Committees Can Take ("Special Teleconferencing Rule")

Effective October 1, 2021, AB 361 amends Government Code section 54953 to add subsection (e) which allows suspension of the General Teleconferencing Rule listed above if any of the following circumstances exist (underlining added):

- a. There is a proclaimed state of emergency and state or local officials have imposed or recommended measures to promote social distancing; or
- b. Legislative body, during a proclaimed state of emergency, holds a meeting for the purposes of determining by majority vote, that as a result of the emergency meeting in person would present imminent risks to the health or safety of attendees; or

- c. Legislative body, during a proclaimed state of emergency, has previously determined (by majority vote) that as a result of the emergency meeting in person would present imminent risks to the health or safety of attendees.

After the first meeting, to continue to suspend the General Teleconferencing Rule and use the Special Teleconferencing Rule, the legislative body must make findings, at least every 30 days after that first meeting. The specific findings required are: 1) that legislative body has reconsidered the circumstances of the state of emergency; and 2) i. the state of emergency continues to directly impact the ability of members to meet safely in person; or ii. state or local officials continue to impose or recommend measures to promote social distancing.

IV. Operation of the Special Teleconferencing Rule

If a Brown Act body suspends the General Teleconferencing Rule as allowed under subsection (e), then the legislative body must (underlining added):

- a. Notice the meeting as otherwise required by the Brown Act;
- b. Agenda must identify and include an opportunity for all persons to attend via a call-in option or an internet based service option;
- c. Allow members of the public to access meetings and an opportunity to address the legislative body directly as provided in the notice (call in or internet);
- d. Conduct teleconferenced meetings in a manner that protects the statutory and constitutional rights of the parties;
- e. In the event of a disruption that prevents broadcasting or call-in or internet based service; actions cannot be taken. Any action taken during a disruption may be challenged pursuant to 54960.1;
- f. If a legislative body provides a timed public comment period for each agenda item, it cannot close the public comment period for the agenda or the ability to register on that item until the timed public comment period has elapsed (not likely applicable);
- g. If a legislative body provides a general public comment period, public comment must remain open until public comment period closes; and
- h. If a legislative body provides public comment on each agenda item, it must allow a reasonable time to register and speak (so likely until the matter is voted on).

V. Dr. Wooten has Issued a Social Distancing Recommendation, So Findings Have Been Met In Order to Use the Special Teleconferencing Rule

As of October 1, 2021, the elements to meet under the Special Teleconferencing Rule have been met. There is currently a State of Emergency and Dr. Wooten, the County's Public Health Officer, released a health recommendation on September 23, 202, which stated that utilizing teleconferencing options for public meetings is an effective and recommended social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and others from the COVID-19 disease.

VI. Next Steps

Under AB 361, on or after October 1, 2021, the first meeting of a legislative body under AB 361 can occur under the Special Teleconferencing Rule without anything

in particular on the agenda. In this case, Staff should note to the board that it is meeting pursuant to the Special Teleconferencing Rule and staff will bring back any future findings the board may need to take to continue to operate under the Special Teleconferencing Rule (i.e. within 30 days).

Alternatively, if time allows and the Chair approves, when the HPG or Committee first meets, an item will be placed on the agenda to determine whether the board wants to utilize the Special Teleconference Rule and if so, to adopt the initial Resolution.



County of San Diego

NICK MACCHIONE, FACHE
AGENCY DIRECTOR

HEALTH AND HUMAN SERVICES AGENCY
PUBLIC HEALTH SERVICES

WILMA J. WOOTEN, M.D.
PUBLIC HEALTH OFFICER

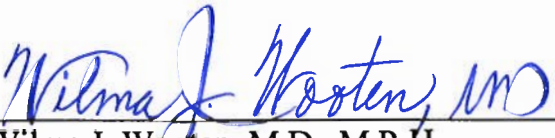
HEALTH OFFICER TELECONFERENCING RECOMMENDATION

COVID-19 disease prevention measures, endorsed by the Centers for Disease Control and Prevention, include vaccinations, facial coverings, increased indoor ventilation, handwashing, and physical distancing (particularly indoors).

Since March 2020, local legislative bodies—such as commissions, committees, boards, and councils—have successfully held public meetings with teleconferencing as authorized by Executive Orders issued by the Governor. Using technology to allow for virtual participation in public meetings is a social distancing measure that may help control transmission of the SARS-CoV-2 virus. Public meetings bring together many individuals (both vaccinated and potentially unvaccinated), from multiple households, in a single indoor space for an extended time. For those at increased risk for infection, or subject to an isolation or quarantine order, teleconferencing allows for full participation in public meetings, while protecting themselves and others from the COVID-19 virus.

Utilizing teleconferencing options for public meetings is an effective and recommended social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and others from the COVID-19 disease. This recommendation is further intended to satisfy the requirement of the Brown Act (specifically Gov't Code Section 54953(e)(1)(A)), which allows local legislative bodies in the County of San Diego to use certain available teleconferencing options set forth in the Brown Act.

September 23, 2021



Wilma J. Wooten, M.D., M.P.H.
Public Health Officer
County of San Diego



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**WILMA J. WOOTEN, M.D.,
M.P.H.**
PUBLIC HEALTH OFFICER

SAN DIEGO HIV PLANNING GROUP COMMUNITY ENGAGEMENT GROUP

Wednesday, December 7, 2022 3:00 PM

Note: This meeting is being video and audio recorded.

Join Zoom Meeting:

<https://us06web.zoom.us/j/95469032405?pwd=cnJuUUVrVjRhdlByS21LWkQ1bllzd09>

Meeting ID: 954 6903 2405

Passcode: 633258

Committee Members (4): Allan Acevedo (Chair), Alfredo De Jesus, Michael Donovan, Michael Lochner (HPG Chair)

A quorum for this committee is two (2)

AGENDA

1. Call to order, comments from the Chair, Moment of Silence
2. **ACTION:** Continuance of Teleconferencing Meeting Option Pursuant to Government Code Section 54953(e):
 - a. Find that the Council has reconsidered the circumstances of the State of Emergency
 - b. Find that State and local officials continue to recommend measures to promote social distancing
3. Zoom Housekeeping
4. Review:
 - a. Background, Mission Statement, Goals, and Agreement of Meeting Decorum
5. Introductions (Name, Role with HPG/Consumer, Pronouns), Icebreaker
6. Public Comment: Non-HPG Member Participants
7. Sharing our Concerns: All Meeting Participants
8. Routine Business:
 - a. Review/approval of meeting agenda for December 7, 2022
 - b. Review/approval of meeting minutes for November 9, 2022 (Review follow-up items)
 - c. Review/approval of meeting minutes for October 19, 2022 (Review follow-up items)

Board of Supervisors meetings to protect the public's health and prevent the disease from spreading locally. California Governor Gavin Newsom issued Executive Order N-29-20 on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic. Pursuant to the Executive Order, and to maintain the orderly conduct of the meeting, the County of San Diego will allow the HIV Planning Group members to attend the meeting via teleconference or phone conference and to participate in the meeting to the same extent as if they were present.

For more information on the HPG, contact HPG staff at HPG.HHSA@sdcounty.ca.gov
Planning Group Website www.sdplanning.org

9. Old Business

- a. Review:** Community Engagement Group Working/Training Plan
- b. Discussion:** Community Engagement Committee Co-Chair Vacancy

10. New Business

- a. Presentation:** CARE Partnership – Shannon Ransom
- b. Review:** Conflict of Interest – Rodney Von Jaeger HPG Support Staff
- c. Review:** Changes to wording in Community Engagement Group Charge.

11. Updates

- a.** CARE Partnership
- b.** Membership Committee
- c.** Strategies and Standards
- d.** Medical Standards and Evaluation (MSEC)
- e.** Priority Settings and Resource Allocation (PSRAC)
- f.** Steering Committee
- g.** HPG

12. Announcements

13. Confirm next meeting date: Wednesday, January 18, 2023 held virtually via Zoom

14. Adjournment

Community Engagement Group Charge:

1) Educate Consumers

- Educate/train consumers about the HIV Planning Group's local HIV services planning process and prepare them for and support them in increased involvement throughout the HIV Planning Group Process: committees, task forces, working groups, and other opportunities, as well as HIV Planning Group membership.
- Serve as mentors to newly involved consumers.

2) Increase Consumer Participation

- Increase the level and diversity of consumer involvement, including from under-served and under-represented populations.
- Represent the needs of all consumers, including those unable to participate in meetings.
- Provide linkages to regional and population-specific consumer groups and ensure communication between those groups and the Consumer Committee.
- Identify and seek to overcome barriers to consumer participation.

3) Represent Consumer Needs Throughout the HIV Planning Group Process

- Provide consumer representation on HIV Planning Group committees, task forces, etc., and ensure flow of information from those groups to the Consumer Committee.
- Encourage maximum consumer involvement in the Priority Setting Committee and in other established venues for the annual priority setting and budget allocations process; the Consumer Committee will not develop a separate set of budget recommendations.
- Serve as a venue for providing consumer feedback re: HIV Planning Group issues (e.g., to task forces).

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Join Zoom Meeting

<https://zoom.us/j/95469032405?pwd=cnJuUjVrVjRhdlByS21LWkQ1bllzd09>

Wednesday, November 9, 2022

3:00 PM – 5:00 PM

DRAFT MINUTES

Quorum = Three (3)

Members Present: Michael Donovan / Michael Lochner (HPG Chair)

Members Absent: Allan Acevedo (Chair) / Alfredo De Jesus

Agenda Item	Action	Follow-up
1. Call to order/ Moment of Silence	Meeting was cancelled due to not having quorum to be held.	



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Join Zoom Meeting

<https://zoom.us/j/95469032405?pwd=cnJuUjVrVjRhdlByS21LWkQ1bllzdz09>

Wednesday, October 19, 2022

3:00 PM – 5:00 PM

DRAFT MINUTES

Quorum = Three (3)

Members Present: Allan Acevedo (Chair) / Michael Donovan / Mikie Lochner (HPG Chair)

Members Absent: Alfredo De Jesus

Agenda Item	Action	Follow-up
1. Call to order/ Moment of Silence	Allan Acevedo called the meeting to order at 3:00 PM and noted that a quorum was established.	
2. Action: Continuance of Teleconferencing Meeting Option Pursuant to Government Code Section 54953(e)	<p>Action: Recognize that there is a continued proclaimed state of emergency and State and local officials have imposed or recommended measures to promote social distancing authorizing teleconferenced meetings pursuant to Government Code section 54953(e).</p> <p>Motion/Second/Count (M/S/C): Lochner/ Acevedo (2/0) No public comment. Abstentions: Donovan Motion: Carries</p> <p>Point of Information: The governor has stated that the state of emergency will be ending most likely at the end of the month in February. Most likely San Diego County will follow suit immediately. The rules for virtual meeting may come to an end, however, there may be ruling regarding hybrid meetings to continue.</p>	

Agenda Item	Action	Follow-up
3. Zoom Housekeeping	Reviewed by Allan Acevedo	
4. Review		
a. Background, mission statement, goals, and ground rules	Read and reviewed. The committee requested support staff and chair to go through documents and remove "Consumer Group" on documentation and replace with "Community Engagement Group".	
b. Introductions, icebreaker	Introductions were made. Icebreaker: Favorite Fall time activity	
c. Public Comment – For Non-HPG Member Participants	A Consumer self-identified as a utilizer of service and stated their support to continue funding for dental care.	
d. Sharing our Concerns For all Participants	None	
5. Routine Business		
a. Review/approval of meeting agenda for October 19, 2022	Motion: Approve the meeting agenda for October 19, 2022 as presented. M/S/C: Lochner/Acevedo 3/0 Abstentions: None Motion carries	
b. Review/approval of meeting minutes for September 21, 2022 (Review follow-up items)	Motion: Approve the meeting minutes for September 21, 2022 as presented. M/S/C: Lochner/Acevedo 2/0 Abstentions: None Motion carries	
6. Old Business		
a. Review: Consumer Group Working/Training Plan	The Consumer (Community Engagement) Group will meet in November and decide December meeting schedule. Based on current composition of the group, training will be put on hold and group will focus on recruiting new members.	
b. Discussion: Consumer Committee Co-Chair Vacancy	Group to focus on recruiting more members. Item will remain on the agenda for next meeting.	
7. New Business		

Agenda Item	Action	Follow-up
<p>a. Discussion: Changes to wording in Consumer Group Charge.</p>	<p>Members discussed group charge:</p> <p><u>EDUCATE:</u> Group members discussed that mentorship is a formal function of the Membership Committee and considered whether mentorship in the group charge is redundant. Membership Committee mentorship is specifically for HPG members. Mentorship for Consumer (Community Engagement) Group does not require HPG membership. Consumer (Community Engagement) Group mentorship is a more informal process. This process includes Consumer (Community Engagement) Group members interacting with new consumers when they come into the meeting and explaining how the group operates. No changes recommended at this time.</p> <p><u>INCREASE:</u> Group members discussed the importance of meeting in a variety of locations across the county. This will be an option once HPG returns to meeting in person.</p> <p>No changes to charge recommended but group would like to consider options for meetings that are more accessible for consumers, especially those outside of the central region.</p> <p><u>REPRESENT:</u> <i>“In terms of service venue”</i> – Requested to add in any existing working groups or task forces that exist (<i>keep that as an updated list</i>) such as Monkey Pox Taskforce and CARE Partnership.</p> <p><i>“Encourage maximum consumer involvement”</i> – Update work plan to rotate meeting locations May through July and facilitate the Happyville exercise in order to involve more consumers in the training activity.</p>	
8. Updates		

Agenda Item	Action	Follow-up
a. CARE Partnership	<p>Chair and Co-chair positions are open.</p> <p>Next meeting is scheduled for November. Future meetings will include a presentation from the San Diego Housing Commission.</p>	
b. Membership Committee	<p>Reviewed new member application and discussed the new member recruitment plan.</p> <p>The HPG brochure completed and being reviewed by County.</p> <p>The vacancy seat list will be sent to HPG members one week before the prior to each HPG meeting. The list that shows when each member's current term expires will be included in the meeting packet.</p>	
c. Strategies and Standards Committee	<p>Recommended updates to the Universal Standards</p> <p>Discussed plan to implement JEDI Principles. Also discussed the training for JEDI Principles and the logistics of implementing training for HPG members.</p> <p>Considered but did not take action on changes to Transportation in Universal Standards to assess clients on transportation support needs.</p>	
d. Medical Standards and Evaluation Committee (MSEC)	<p>Recommended changes to Universal Standards and referred to Strategies Committee.</p> <p>Reviewed Medical Chart Review sheet and recommended modifications.</p>	
e. Priority Settings and Resource Allocation Committee (PSRAC)	<p>Several recommendations for reallocations were approved.</p> <p>GTZ Community Action Plan: Committee will wait until March 2023 when new service categories Housing Case Management and Housing Location, Placement and Advocacy Services are in place to consider service directives for PARS.</p>	
f. Steering	<p>The agenda was approved for next week's HPG meeting.</p>	

Agenda Item	Action	Follow-up
	<p>The committee agreed to start standardizing how meetings operate and ensure that certain rules are followed such as minutes and agendas.</p> <p>Adopted County Board of Supervisors rules related to public decorum and public comment; Slide will be presented at next HPG meeting – reminding the public that we welcome everyone and respect each other, however, personal attacks or disrespect are not acceptable.</p> <p>Cancelled November 2022 Steering and HPG meetings.</p>	
g. HPG	Next HPG meeting is Wednesday, 10/26 at 3:00 PM (virtual).	
9. Announcements	<p>Reminder that open enrollment is happening for Medicare Part B.</p> <p>Reminder: HPG Orientation will take place tomorrow, 10/20 from 2:00 PM – 4:00 PM. Registration required.</p>	
10. Confirm next meeting date Wednesday, November 9, 2022 via Zoom	Next Meeting: Wednesday, November 9, 2022 via Zoom	Follow-Up: Add action to move of December meeting to 12/7 from 3:00 PM – 5:00 PM to the November agenda.
11. Adjournment	Meeting was adjourned at 4:34 PM	



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- Serve as a venue for providing community feedback regarding HIV Planning Group issues (e.g., task forces).

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