

## I. Purpose

To provide guidance to the Board of Retirement (Board) and Staff when Trustees wish to appear at Board and Standing Committee meetings from a remote location.

## II. Assumptions

- A. The Board is subject to California's open meeting law that applies to local agencies, the Brown Act, Gov't Code §54950 et seq.
- B. Gov't Code §54953(b) permits the Board to hold a teleconference meeting if the Board follows certain requirements
- C. The Board finds that providing teleconference meetings can benefit the public, the Board and its Standing Committees and therefore teleconferencing should be available to facilitate Trustees' participation in Board and Standing Committee meetings.
- D. This Policy does not limit the Board's authority under applicable law. The Board may apply all legal authority that relates to the requirements for a teleconference meeting that are operative at the time of the meeting without amending this Policy.

## III. Policy Guidelines

- A. At least a quorum of the Board or Standing Committee must be within Alameda County during a teleconference meeting.
- B. Each Trustee appearing from a remote location is responsible for ensuring that:
  - 1. The agenda is properly posted at the site at least 72 hours before the meeting in a location that is accessible to the public. Weekend hours may be included to satisfy this requirement, but the agenda must be accessible to the public for the entire 72-hour period. Thus, the agenda may need be posted both outside a main entrance (visible outside an office building) and outside the room in which the Trustee will teleconference. Such agendas must remain visible until the meeting is completed.
  - 2. Members of the public can access the site during the meeting (even if the location is a hotel room, cruise ship cabin or a residence) and the site is ADA compliant.

3. Teleconference equipment is working, with a speaker reasonably loud enough for attendees to hear.
  4. Members of the public who wish to make a public comment may do so.
- C. Each remote location must be identified in the notice and agenda of the meeting including:
1. The identity of the Trustee appearing at that location.
  2. The street address and any room, apartment, suite or office number.
  3. The agenda must provide the opportunity for the public to address the Board or Standing Committee at each location.
- D. All votes during a teleconference meeting must be taken by roll call, even if only one Trustee is participating video/telephone.
- E. Gov't Code §54953(e) eliminates the requirements stated in Sections III(A-C) above during a proclaimed state of emergency if the Board makes certain findings relating to the protection of the health and safety of meeting attendees (roll call votes are still required). As of August 18, 2022, Section 54953(e) is set to be repealed on January 1, 2024. When the Board holds a teleconference meeting pursuant to Section 54953(e), the notice and agenda will prominently state as on the first page of the agenda: "THIS MEETING WILL BE CONDUCTED VIA TELECONFERENCE [GOV'T CODE § 54953(e)]."

#### IV. Policy Review

The Governance Committee shall review this policy at least every three (3) years to ensure that it remains relevant and appropriate.

#### V. Policy History

- A. The Board adopted this policy on November 21, 2019.
- B. The Board revised this Policy on August 18, 2022.