

**Marin County Commission on Aging  
Teleconference, Hybrid Meeting, and Public Participation Policy**

**Working Draft Policy 1**

**Prepared for County Counsel Review Following Board of Supervisors Policy Adoption**

**Purpose**

This policy establishes procedures for teleconference participation, hybrid meetings, public participation, meeting disruptions, and technology interruptions consistent with the Ralph M. Brown Act and applicable County policies.

The Marin County Board of Supervisors is the County's governing body and has authority to establish Countywide policies governing the operations of County boards, commissions, and advisory bodies.

The Commission on Aging intends to align its teleconference, hybrid meeting, and public participation practices with policies adopted by the Board of Supervisors and guidance provided by County Counsel.

This policy is intended to support consistent implementation of Countywide Brown Act requirements while ensuring meaningful public participation, transparency, and compliance with applicable law.

**1. General Requirements**

All Commission meetings shall be conducted in compliance with the Brown Act and in a manner that protects the statutory and constitutional rights of members of the public.

Members of the public shall be provided meaningful opportunities to observe and participate in Commission meetings consistent with applicable law.

All votes involving remote participation shall be conducted by roll call.

**2. Traditional Teleconference Participation**

The Commission may permit participation by teleconference under traditional Brown Act teleconference provisions.

When utilizing traditional teleconference participation:

- The remote location shall be identified on the agenda.

- The agenda shall be posted at the remote location.
- The remote location shall be accessible to members of the public.
- Members of the public shall be permitted to address the Commission from the remote location.
- Commissioners should notify staff at least seven (7) days before the meeting whenever feasible to allow proper agenda preparation and posting.

Traditional teleconference participation remains available when remote participation does not qualify under a statutory exception.

### **3. Just Cause and Emergency Remote Participation**

#### **Pending County Counsel Review and Alignment with Adopted BOS Policy**

The Commission may permit remote participation under applicable Brown Act provisions relating to:

- Just Cause participation;
- Emergency circumstances;
- Disability-related accommodations; and
- Other authorized statutory exceptions.

Examples of circumstances that may qualify include:

- Caregiving responsibilities for a child, parent, spouse, domestic partner, sibling, grandparent, or grandchild;
- Illness or recovery from illness;
- Family medical emergencies;
- Caring for an immunocompromised family member;
- Certain official government-related travel;
- Disability-related accommodations; and
- Other circumstances authorized by law.

When participation is authorized under these provisions:

- The Commissioner's address may not be required to be posted on the agenda.
- The remote location may not be required to be open to the public.
- The Commissioner may be considered present for quorum purposes.
- The Commissioner may participate in deliberations and vote.

Additional procedures shall be implemented consistent with adopted Board of Supervisors policy and County Counsel guidance.

#### **4. Remote Attendance Versus Remote Observation**

The Commission recognizes a distinction between remote attendance and remote observation.

##### **Remote Attendance**

A Commissioner participating under an approved Brown Act teleconference or remote participation provision may:

- Participate in discussion;
- Count toward quorum; and
- Vote on Commission business.

##### **Remote Observation**

A Commissioner who is observing the meeting remotely and is not participating pursuant to an authorized Brown Act provision:

- Shall not be considered present;
- Shall not count toward quorum;
- Shall not deliberate on Commission business; and
- Shall not vote.

The Chair shall ensure the distinction is reflected in the meeting record.

## **5. Quorum**

Quorum shall be calculated based upon the total number of authorized Commission seats, regardless of vacancies.

For the Marin Commission on Aging:

- Authorized seats: 23
- Quorum requirement: 12 Commissioners

This interpretation is based upon guidance provided by the Marin County Clerk and remains subject to County Counsel confirmation.

## **6. Hybrid Public Access Requirements**

### **Pending Review of Adopted BOS Policy**

Commission meetings shall provide public access consistent with applicable Brown Act requirements.

The Commission shall make reasonable efforts to ensure:

- Public observation of meetings;
- Public comment opportunities;
- Accessibility accommodations;
- Reliable audio and video access; and
- Compliance with County technology standards.

Additional procedures shall be implemented consistent with adopted Board of Supervisors policy.

## **7. Technology Disruption Procedures**

### **Pending Review of Adopted BOS Policy**

If technological disruptions prevent meaningful public access to a meeting, the Chair may:

- Recess the meeting;
- Delay agenda items; or

- Take other actions authorized by law.

Based upon guidance provided by the Marin County Clerk, restoration efforts may be required before a meeting may proceed.

If public access cannot be restored within one (1) hour, consistent with County policy and applicable law, the meeting may be adjourned, continued, or rescheduled.

Final procedures shall conform to the adopted Board of Supervisors policy and County Counsel guidance.

## **8. Meeting Disruption Procedures**

### **Pending Review of Adopted BOS Policy**

The Commission recognizes the public's right to observe meetings, provide comment, and express viewpoints, including criticism of County programs, policies, staff, and Commissioners.

Disagreement, criticism, or unpopular viewpoints shall not by themselves constitute disruption.

Conduct that materially disrupts the orderly conduct of a meeting may include:

- Repeated interruption of speakers;
- Refusal to comply with established time limits after warning;
- Sustained yelling or noise preventing continuation of the meeting;
- Threatening or intimidating behavior; and
- Conduct that prevents the Commission from conducting its business.

Whenever feasible, responses to disruptive conduct should follow progressive steps:

1. Reminder by the Chair;
2. Warning by the Chair;
3. Removal, muting, or other corrective action if disruption continues; and
4. Recess if necessary.

Remote participants may be muted or removed for disruptive conduct but shall not be muted or removed based solely upon viewpoint, criticism, or disagreement.

This section shall be conformed to the adopted Board of Supervisors policy and County Counsel guidance.

## **9. Meeting Minutes and Attendance Documentation**

### **Pending County Counsel Guidance**

Meeting minutes should distinguish between:

- Commissioners present in person;
- Commissioners present via traditional teleconference;
- Commissioners present via authorized just-cause participation;
- Commissioners absent; and
- Commissioners observing remotely but not participating.

Staff liaisons shall maintain records consistent with County policy and Brown Act requirements.

## **10. Implementation**

The Board of Supervisors has adopted updated Brown Act teleconferencing and public participation policies. Staff shall review those policies and any accompanying County Counsel guidance and prepare recommended revisions to this policy as necessary.

The Commission shall review and update its policies to ensure consistency with Countywide requirements and Brown Act compliance.

This Working Draft is intended as a discussion document and not as a final legal interpretation of Brown Act requirements.