



SPECIAL MEETING OF THE CITY OF EL SEGUNDO ARTS and CULTURE ADVISORY COMMITTEE AGENDA

MEETING DATE: November 16, 2021
MEETING TIME: 5:30 p.m.
MEETING PLACE: El Segundo Public Library

DUE TO THE COVID-19 EMERGENCY,
THIS MEETING WILL BE CONDUCTED
PURSUANT TO THE GOVERNOR'S
EXECUTIVE ORDER N-29-20.

How Can Members of the Public Observe and Provide Public Comments?

Residents are strongly encouraged to participate remotely in the virtual Arts and Culture Advisory Committee Meeting. Access remotely via Zoom (Meeting ID 971 7511 4447| Passcode 846319 | Phone No. 669-900-9128). Members of the Public may provide comments electronically by sending them to Julie Todd Senior Librarian (jtodd@elsegundo.org/310-524-2729), with a limit of 150 words and accepted up until 30 minutes prior to the meeting. The emails will be read to the Arts and Culture Advisory Committee during public communications and are subject to disclosure under the Public Records Act.

Additional Information

The Arts and Culture Advisory Committee, with certain statutory exceptions, can only take action upon properly posted and listed agenda items. Unless otherwise noted in the Agenda, the public can only comment on City-related business that is within the subject matter jurisdiction of the Arts and Culture Advisory Committee, and items listed on the Agenda during the **Public Communications** portion of the meeting. The time limit for comments is five minutes per person, maximum 30 minutes.

Before speaking to the Arts and Culture Advisory Committee, please state: your name, residence, and the organization you represent, if desired. Please respect the time limits.

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the City Clerk (310) 524-2305. Notification 48 hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Land Acknowledgement: We acknowledge that we are holding this meeting on the traditional, ancestral, and unceded territory of the Tongva. We recognize the Tongva people as the traditional land caretakers of Tovaangar (Los Angeles basin, So. Channel Islands). We also acknowledge that Los Angeles County is home to the largest Indigenous populations in the US.

A. CALL TO ORDER

B. ROLL CALL

- | | |
|---|--|
| <input type="checkbox"/> Joanna Bowe | <input type="checkbox"/> Joan Palmer |
| <input type="checkbox"/> Jane Burrell | <input type="checkbox"/> Vice Chairperson Natalie Strong |
| <input type="checkbox"/> Maureen Kingsley | <input type="checkbox"/> Eva Sweeney |
| <input type="checkbox"/> Mark Knight | <input type="checkbox"/> Tanya Taylor |
| <input type="checkbox"/> Michael Kreski | <input type="checkbox"/> Chairperson Neal Von Flue |
| <input type="checkbox"/> Brian Mitchell | |

CITY COUNCIL LIAISONS

- | | |
|---|---|
| <input type="checkbox"/> Councilmember Lance Giroux | <input type="checkbox"/> Councilmember Scot Nicol |
|---|---|

C. PRESENTATIONS - NONE

D. PUBLIC COMMUNICATIONS (Related to city business only and for which the Advisory Council is responsible – 5 minutes per person; 30 minutes total).

E. APPROVAL OF MEETING MINUTES for October 26, 2021

F. SPECIAL BUSINESS

1. ACC member volunteer assignments for Festival of Holidays on December 3.
(Julie Todd/15 minutes)

G. UNFINISHED BUSINESS

1. Follow-up edits to corrected minutes from September 28th ACC meeting.
(Sam Lee/15 minutes)

H. NEW BUSINESS

1. Vote to approve resolution for the ACC to continue meeting via Zoom teleconferencing
(Julie Todd/15 minutes)

Recommendation: Approval

Attached Supporting Documents:

- Resolution to Conduct Public Meetings via Teleconferencing Pursuant to Assembly Bill No. 361
 - Resolution No. _____.
2. CCB liaison list review, updates, and assignments.
(Neal Von Flue/15 minutes)

I. GOVERNANCE

J. ADVISORY COMMITTEE MEMBER COMMENTS

Joanna Bowe
Jane Burrell
Maureen Kingsley
Mark Knight
Michael Kreski
Brian Mitchell

Joan Palmer
Vice Chairperson Natalie Strong
Eva Sweeney
Tanya Taylor
Chairperson Neal Von Flue

CITY COUNCIL LIAISON COMMENTS

Councilmember Lance Giroux

Councilmember Scot Nicol

L. CITY LIAISON UPDATES

M. ADJOURNMENT

NEXT MEETING: Special meeting on December 8, 2021 at 5:30 p.m.

**ARTS AND CULTURE ADVISORY COMMITTEE OUTREACH TO OTHER
CITY OF EL SEGUNDO COMMITTEES, COMMISSIONS, AND BOARDS**

Capital Improvement Program Advisory Committee: Michael Kreski

Diversity, Equity, and Inclusion Committee: Vacant

Economic Development Advisory Council: Eva Sweeney

Environmental Committee: Vacant

Investment Advisory Committee: Brian Mitchell

Library Board of Trustees: Natalie Strong, Brian Mitchell (alternate)

Planning Commission: Eva Sweeney (alternate)

Recreation and Parks Commission: Michael Kreski (alternate)

Senior Citizens Housing Corporation Board: Maureen Kingsley, Neal Von Flue (alternate)

Technology Committee: Brian Mitchell, Mark Knight (alternate)

TITLE:

Resolution to Conduct Public Meetings via Teleconferencing Pursuant to Assembly Bill No. 361

RECOMMENDATION:

1. Adopt a Resolution allowing public meetings to continue to be conducted via teleconferencing pursuant to Assembly Bill No. 361

BACKGROUND:

On March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency to exist in California due to the threat of the COVID-19 pandemic. Subsequent associated gubernatorial executive orders, among other things, allowed local government bodies subject to the Ralph M. Brown Act ("Brown Act") to conduct virtual/teleconferencing meetings without needing to comply with teleconferencing requirements set forth in the Brown Act. Specifically, the executive orders suspended requirements that mandated (1) that every location from which a member of a body was participating in a meeting must have a notice of the meeting agenda physically posted at location (24 hours in advance for special meetings, and 72 hours in advance for regular meetings) and that each teleconferencing location be open for public attendance, (2) that a majority of the members of the body must be present in the jurisdiction, and (3) that members of the public must be allowed to attend meetings in person. The applicable Executive Order N-29-20 is expiring on September 30, 2021.

In order to address the expiration of the Governor's Order regarding teleconferencing, effective September 16, 2021, Assembly Bill No. 361 ("AB 361") took effect which, among other things, amends certain provisions of the Brown Act governing open meetings to allow teleconferencing, including internet-based video conferencing, in a manner similar to previously issued gubernatorial executive orders.

DISCUSSION:

During a proclaimed state of emergency, AB 361 allows a legislative body, like the Arts and Culture Advisory Committee, to continue utilizing teleconferencing to conduct public meetings in a manner like they have been conducted during the pandemic under certain circumstances, provided the legislative body makes certain findings. After an initial meeting in which certain findings are made, to continue meeting pursuant to AB 361, the legislative body must declare within 30 days that it has reconsidered the circumstances of the state of emergency and either: (1) the state of emergency continues to directly impact the ability of the members to meet safely in person; or (2) state or local officials continue to impose or recommend measures to promote social distancing. Accordingly, the Arts and Culture Advisory Committee action and the issue of teleconferencing will be revisited every 30 days.

For the reasons set forth below, staff is recommending that the Arts and Culture Advisory Committee continue to meet via teleconferencing unless the City Manager determines that a CCB can and should meet in person based upon the then applicable health and safety regulations and the relative importance of a CCB conducting an in-person meeting.

Currently, there are a myriad of state and county regulations regarding meetings conducted indoors. The County's order prohibits such unless certain restrictions are adhered to. Additionally, the City is subject to employer regulations promulgated by CalOSHA that place additional restrictions on workplace interaction.

The state and county regulations have changed numerous times during the nineteen-month period that the pandemic has existed. Meeting protocols have been changed several times during this time based upon the changing legal requirements. The Council is currently conducting a portion of its regular open session meetings in person but with numerous restrictions and limited in-person public and staff participation for purposes of complying with existing legal requirements.

While staff understands the importance of coordinating meetings to allow maximum public participation, staff believes it would be prudent in the short-term for the CCB's to continue to meet virtually. It will be a significant burden on staff and the CCB's to go through continuous changes as to how the CCB meetings will be conducted. However, there may be instances where there is a significant purpose to allow for in-person meetings if the then applicable regulations can be adhered to without significant strain on City resources. For example, there are currently several public hearings that are likely to come before the Planning Commission over the next few months that will be reviewed for potential in-person meetings based upon the above criteria. The City Manager will make decisions regarding whether a particular CCB meeting should and can be reasonably conducted in-person.

Again, the above issues will be revisited by the Council and Arts and Culture Advisory Committee every 30 days and as the various regulations/restrictions are amended or lifted, all Council and CCB meetings will be conducted in the manner they were conducted before the pandemic.

The proposed Resolution would:

- Make the requisite findings for the Arts and Culture Advisory Committee to continue using teleconferencing protocols for its public meetings, subject to certain notice, access, and participation requirements;
- Require the Arts and Culture Advisory Committee, every 30 days, to reconsider the state of emergency conditions and consider whether certain findings can be made to support continued use of teleconferencing procedures; and
- Prohibit the Arts and Culture Advisory Committee from meeting exclusively in person except as determined by the City Manager or until the Council provides further direction in the future

Approval of the proposed Resolution requires a recorded majority vote of the Arts and Culture Advisory Committee total membership.

CITY STRATEGIC PLAN COMPLIANCE:

Goal 1: Enhance Customer Service, Engagement, and Communication; Embrace Diversity, Equity, and Inclusion

Objective 1A: El Segundo provides unparalleled service to internal and external customers.

Objective 1B: El Segundo's engagement with the community ensures excellence.

Objective B: El Segundo approaches its work in a financially strategic and responsible way.

PREPARED BY: Mark Hensley, City Attorney
APPROVED BY: Julie Todd, Senior Librarian

RESOLUTION NO. _____ -

A RESOLUTION OF THE ARTS AND CULTURE ADVISORY COMMITTEE FINDING THAT CERTAIN CONDITIONS EXIST TO CONTINUE CONDUCTING PUBLIC MEETINGS VIA TELECONFERENCING PURUSANT TO GOVERNMENT CODE SECTION 54953(e).

The Arts and Culture Advisory Committee resolves as follows:

SECTION 1: The Arts and Culture Advisory Committee finds and declares as follows:

- A. On March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency in California due to the threat of the COVID-19 pandemic.
- B. This gubernatorial proclamation, among other things, suspended local government emergency declaration, reporting, and extension requirements of Government Code § 8630 for the duration of the COVID-19 pandemic.
- C. Effective September 16, 2021, Assembly Bill No. 361 (“AB 361”) took effect which, among other things, amends certain provisions of the Ralph M. Brown Act (“Brown Act”) governing open meetings to allow teleconferencing, including internet-based video conferencing, in a manner similar to previously issued gubernatorial executive orders.
- D. During a proclaimed state of emergency, AB 361 allows a legislative body, like the Arts and Culture Advisory Committee, to continue utilizing teleconferencing to conduct public meetings under certain circumstances, provided the legislative body makes certain findings.
- E. After an initial meeting in which certain findings are made, to continue meeting pursuant to AB 361, the legislative body must, every 30 days thereafter, declare that it has reconsidered the circumstances of the state of emergency and either: (1) the state of emergency continues to directly impact the ability of the members to meet safely in person; or (2) state or local officials continue to impose or recommend measures to promote social distancing.
- F. On October 5, 2021, the El Segundo City Council adopted Resolution 5275 prohibiting other City legislative bodies from meeting exclusively in person, except as determined by the City Manager or until the City Council provides further direction. The City Council Resolution directed all legislative bodies of the City to consider the adoption of a resolution authorizing the use of teleconferenced meetings pursuant to Government Code § 54953(e).

SECTION 2: *Teleconferencing.* Pursuant to Government Code § 54953(e), the Arts and Culture Advisory Committee finds as follows:

- A. The state of California continues to be in a declared state of emergency pursuant to Government Code § 8625 (the California Emergency Services Act; see Government Code § 54953(e)(3); see also Governor's Proclamation dated March 4, 2020);
- B. Based upon the most recent Order of the Health Officer for the County of Los Angeles Department of Public Health (dated September 17, 2021 and effective October 7, 2021), masks and social distancing continue to be recommended as necessary to curb the spread of COVID-19 (Government Code § 54953(e)(3)(B)(ii));
- C. The circumstances continue to directly impact the ability of the members of the Arts and Culture Advisory Committee to meet safely in person;
- D. Accordingly, to protect public health, the Arts and Culture Advisory Committee finds that it is in the public interest to conduct its public meetings via teleconference as defined by Government Code § 54953;
- E. The Arts and Culture Advisory Committee will adhere to all requirements of Government Code § 54953(e) governing teleconferencing during the emergency.

SECTION 3: *Reporting.* Every 30 days following adoption of this Resolution, the Arts and Culture Advisory Committee will reconsider the extension of the teleconferencing method of public meetings in accordance with Government Code § 54953(e)(3). Such determinations may be placed on the consent calendar.

SECTION 4: *Electronic Signatures.* This Resolution may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 5: *Recordation.* The presiding officer of the Arts and Culture Advisory Committee is authorized to sign this Resolution signifying its adoption by Arts and Culture Advisory Committee.

SECTION 6: *Effective Date.* This Resolution will become effective immediately upon adoption.

PASSED AND ADOPTED this 16th day of November, 2021.

Chair Neal Von Flue
Arts and Culture Advisory Committee