



Board Report 23-12

Date: February 21, 2023

To: Board of Deferred Compensation Administration (Board)

From: Staff

Subject: Future Board Meeting Format and DCP Facilities Update

Board of Deferred Compensation Administration

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This report is provided for informational purposes.

Background:

On October 17, 2022, Governor Gavin Newsom announced that the COVID-19 State of Emergency for California will be ending on February 28, 2023. As Assembly Bill 361 allows for remote public meetings to be held under an emergency order and/or with social distancing measures in place, it is expected the Board will be unable to continue teleconference meetings under AB 361 beyond February. Additionally, Assembly Bill 2449 went into effect on January 1, 2023 (effective through December 31, 2025), which permits exceptions to allow members of a governing body to attend a meeting remotely under new provisions of the Brown Act.

Staff reviewed the implications of the end of the State of Emergency and the Assembly Bill 2449 in Board Report 22-59 on December 7, 2022. As there has been no change to the plans for the state emergency order being listed, beginning in March 2023, Board meetings for the DCP will be expected to be held in-person.

Discussion:

A. Future In-Person/Virtual DCP Board Meetings

In preparation for hybrid in-person and virtual meetings, Staff has been coordinating the necessary logistics to accommodate the hybrid in-person and virtual Board meetings. Staff has secured the Civil Service Commission Room for its remaining regular meetings in 2023. The meeting room was previously used by the Board prior to the pandemic and is located in Room 350 of the Personnel Building on 700 East Temple Street. Staff will continue to post teleconferencing options for Board meetings and has ensured that the Civil Service Commission Room is adaptable to the hybrid approach.

- **In-Person Quorum** - It should be noted that under AB 2449, an in-person quorum must be established. It is requested that all Board members keep staff informed of their ability to attend the meeting in-person so that staff may ensure a quorum exists at the start of each meeting.
- **Remote Participation Exceptions:** Board members who exceed the quorum may choose to request an exception to participate remotely, with such exception to be requested only under certain circumstances. Under each exception, notification and/or public discussion must occur.
- **Option for Public and Presenter Participation via Remote Application:** While the Board is required to return to in-person meetings, there is a benefit in continuing some of the teleconference practices implemented under the COVID-19 State of Emergency and AB 361, such as allowing vendors and members of the public to attend meetings virtually. This practice allows for greater information and meeting accessibility, while minimizing the risk of infectious disease transmission and allowing those who may be unable to attend the meeting in-person to participate. Staff will coordinate with vendors on their preference (virtual or in-person) and provide support for either option. This topic may also be revisited after a few Board meetings depending on whether COVID-19 transmission levels continue to decline or should the Board wish to request in-person attendance from certain vendors or when presenting on certain matters.
- **Provision of Board Member Electronic Devices:** In order to facilitate the hybrid Board meeting option, staff recommends that all Board members bring a laptop, iPad, or similar video-capable electronic device to ensure that the teleconference experience matches that of the in-person experience. This will allow each Board member to be on-camera for the teleconference option and allow for Board members to follow along with any presentations more closely. In August of 2020, the Board approved the purchase of iPads for Board members who elected to receive an electronic device for conducting board business. Currently all four iPads are assigned. Staff will coordinate with the Board to determine any additional need.
- **Parking:** Parking will be available only for Board members at the nearby MSD parking structure.

Staff will continue to work with legal counsel to ensure agenda notifications are appropriate and that technological failure does not prevent the holding of an in-person meeting. Any changes or updates to the proposed in-person meeting process will be brought to the Board in a future report.

B. Facilities Update

As part of the 2023 Strategic Initiatives, staff has been researching the potential options for finding new facilities to house DCP staff. Below are some updates:

- Staff provided leasing options from the Los Angeles City Employees Retirement System (LACERS) in Board Report 22-62. LACERS has since indicated that the potential available space on the first floor of the new headquarters on Broadway would no longer be available to house the DCP staff as it was necessary to reallocate the area for other purposes. At this time, LACERS does not have any other available space to lease but has indicated they will contact DCP should that circumstance change.
- Staff provided leasing options from the Los Angeles Fire and Police Pensions (LAFPP) in Board Report 22-27. Since then, the previously toured space at LAFPP has been

leased to another party. However, there may be another opportunity in the future as LAFPP is exploring a shared space staffing model that may free up office space that could be leased to DCP.

- Staff is also looking to identify other City facilities that may be available, which may present broader opportunities for employee outreach or allow for physical proximity with the Employee Benefits Division Office (should employees also need to coordinate other benefits such as parking or health).

Staff will continue to provide updates on facilities planning.

Submitted by:

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