

Interactions with La Jolla Light

“Time’s running short for some La Jolla groups to return to in-person meetings as COVID emergency nears end”

Feb. 6, 2023

Question:

I'm working on an article about our civic groups meeting in person after the state of emergency expires in February. I've been directed to ask the city attorney's office what legal guidance there is for how these groups must comply when the emergency order lifts on Feb. 28.

Response:

City boards, committees, and commissions must comply with the open meetings requirements of California’s Ralph M. Brown Act. Once Governor Newsom’s COVID-19 State of Emergency ends on February 28, the Brown Act’s provisions concerning so-called “hybrid” meetings will be in effect, resulting in changes from current practices. Among them: members of boards, committees, and commissions will not be able to attend meetings virtually except in specific circumstances, and virtual attendees will not count toward the number of members needed to attain a quorum.

For most boards, committees, and commissions that meet monthly, members will be limited to 2 virtual appearances per year. Virtual appearances will be allowed for two reasons: (a) just cause or (b) emergency circumstances. **Just cause** is defined in the Brown Act as childcare or caregiving needs, a contagious illness, the inability to accommodate a physical or mental disability or traveling on City business. **Emergency circumstances** is defined as a physical or family emergency that prevents a member from attending in person.

As before the State of Emergency took effect, a member teleconferencing into a meeting must do so from a location that is accessible to the public and where a meeting agenda has been posted. These requirements can be lifted under circumstances pertaining to public health and safety that are set out in Assembly Bill 361, which took effect on September 16, 2021. They are discussed in the Memorandum of Law linked here:

[Legal Update: New Meeting Disruption and Teleconference Amendments to the Ralph M. Brown Act](#)

Question:

Are you aware of any efforts by the city to establish a grace period for this or any kind of exemptions as we transition out of the emergency order?

Response:

The Brown Act, a state law, does not contain a grace period.
