



Department of Neighborhood Empowerment



EmpowerLA Neighborhood Council Virtual Governance Protocols

(Revised 4/24/20)

Introduction

The Department is trailblazing a new process for governance for the Neighborhood Council System and the communities of Los Angeles. These virtual governance protocols are a companion to [The EmpowerLA Virtual Governance Plan](#) and related workshops and training. They provide guidance on how Neighborhood Councils (NCs) may govern in a uniform City-approved structured, virtual environment.

The COVID-19 pandemic presented an opportunity to pioneer a new form of community-based governance. The Neighborhood Council System was the first to begin bridging the distance between communities and City Hall; and, will continue to do so using available social distancing technology.

Our goal during the COVID-19 pandemic is to help Neighborhood Councils (NC) **SEEK** accurate information about the emergency, provide Neighborhood Councils with tools that can be **SHARED** with their communities and, by following the Mayor Eric Garcetti's executive orders to **STAY SAFE** ([Safer at Home EO Rev. 4-10-2020](#)).

The Department's focus is to develop an equitable, accountable, virtual governance system with clear protocols and procedures. We are committed to providing NC Boards with a foundation for success during this ever-changing global emergency.

We want to thank our colleagues and partner City departments administering virtual meetings for the City Council and Commissions. They include the City Council under the leadership of Council President Nury Martinez, the Offices of the City Clerk and City Attorney, the Emergency Management Department, the Information Technology Agency, the Board of Recreation and Parks Commissioners, and the Department on Disability.

We thank you for your patience and efforts and look forward to "seeing" you at your next virtual meeting.

Raquel Beltrán
General Manager



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Overview

The *EmpowerLA Neighborhood Council Virtual Governance Protocols (EVG Protocols)*, provides guidance for Neighborhood Councils to hold public meetings, in a virtual setting while adhering to the State of California, County of Los Angeles, and the City of Los Angeles decrees during the COVID-19 pandemic. This procedural guide was adapted from the procedures developed by the City's Information Technology Agency (ITA), and follow the same procedures applied to City Council, Commission, and Committees meetings.

The City of Los Angeles and the Neighborhood Council System strive to have open, transparent and participatory meetings during this time, while still ensuring that members of the public, Neighborhood Council Board Members and City staff are kept safe and healthy. The City also strives to ensure equitable access for those who may not have ready access to online tools or who are covered under the Americans with Disabilities Act (ADA).

Video and telephonic conferencing is a new format for many public meetings. The *EVG Protocols* provide Neighborhood Councils (NCs) with guidance on how to set-up, manage, and conduct virtual meetings while following the requirements set by the Americans with Disabilities Act, the Ralph M. Brown Act, City Charter, and the Board of Neighborhood Commissioners, during COVID-19.

The Department is committed to the success of NCs and our Neighborhood Empowerment Advocates (NEAs) are available to assist. For further guidance, contact NCsupport@lacity.org or call (213) 978-1551.



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Agenda and Notice

POSTING REQUIREMENTS

As Neighborhood Councils (NCs) prepare to schedule virtual meetings, please remember that the NC posting requirements for meeting agendas have not changed. NCs are required to follow the posting requirements set by the Brown Act and the Board of Neighborhood Commissioners' (Commission) [Agenda Posting Policy](#), and NC Bylaws.

Neighborhood Councils are required to insert certain language on their agenda. The required language and highly recommended language can be [viewed here](#).

During COVID-19, physical posting of the agenda still applies, and it is best practice to secure proof of the posting (e.g. photo of physical posting). For "regular" board meetings, the agenda must, at the minimum, be posted 72 hours in advance of the meeting. For "special" meetings, the agenda, at the minimum, must be posted 24 hours in advance of the meeting.

Please remember to take all precautionary health and safety measures, and adhere to the guidance related to social distancing while meeting these requirements. If an NC needs assistance with the physical posting of meetings, please contact NCsupport@lacity.org or call (213) 978-1551.

Due to the availability of staff resources, please submit requests for a physical posting of the meeting agenda, five (5) business days in advance of the meeting. The Department will respond to confirm if this request can be accommodated.

1. Physical Posting

Physically post at least one (1) Brown Act compliant agenda for all Board meetings. If an NC's regular posting location is no longer accessible (i.e. the facility is closed, gated off, no access, etc.) due to COVID-19 facility closures, posting the agenda on the outside of a door or a gate will meet this requirement.



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If the NC needs to change the physical posting location, make sure that the agenda makes reference to the correct posting location under the [required language](#) for *Public Access of Records*. The new physical posting location must be within the boundaries of the NC.

2. Neighborhood Council Website & E-Blast

Per the Commission's [Agenda Posting Policy](#), Neighborhood Councils (NCs) must post the agenda on their website.

Per the Brown Act, the public has the right to review written materials distributed by any person to a majority of the NC in connection with a matter subject to discussion or consideration at a meeting, unless those materials are protected by an exemption or privilege such as the attorney-client privilege. Thus, if materials are distributed to the majority of the NC *72 or more hours* before the meeting, those materials should be attached (or linked) to the agenda and made available on the NC's website for viewing by the time of the meeting. If the materials are prepared by and distributed *less than 72 hours* before a meeting, they should be posted on the website as soon as possible and made available by the time of the meeting.

When materials are distributed *during* a meeting, they must be made public: at the meeting, if prepared by the NC or City staff; or after the meeting if prepared by some other person. However, given the technical constraints with making those materials available to the public during the course of a virtual meeting, it is recommended that NC's prepare, distribute, and post all written materials in advance of the meeting.

If the NC's website is unavailable, the agenda can be posted on a page made available to the public on the Department's website, EmpowerLA.org/councils. Additionally, any NC that maintains an email list of stakeholders may email a copy of the agenda or announce the meeting with a link to the agenda.

3. Early Notification System

NCs shall submit a copy of the meeting agenda to the Department to be posted through the Early Notification System (ENS). NCs must submit a copy of the agenda, in PDF



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format, to NCsupport@lacity.org. NCs should encourage stakeholders to [sign up for ENS](#) to receive meeting notifications.

CANCELLATION REQUIREMENTS

If an NC plans to cancel or reschedule a regular or special, board and/or committee meeting, remember to post a "cancellation notice" following the Commission's [Agenda Posting Policy](#).

The "cancellation notice" can simply be a copy of the agenda with the word "cancelled" prominently displayed in the heading or across the agenda page. This notice should also indicate which meeting is being canceled and when it would have regularly occurred. ([View sample cancellation posting](#))

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Access to Meetings

VIRTUAL MEETING TECHNOLOGY - ZOOM

All NC meetings will be available through a virtual meeting and teleconferencing platform called [Zoom](#). Zoom is a company that focuses on cloud-based communications for video and audio conferencing, collaboration, and additional digital communication. For more information on Zoom please visit <https://zoom.us/about>.

Zoom is approved for virtual meetings by the City's Information Technology Agency (ITA) based on key features found useful for these types of video conferencing events.

The Department has purchased Zoom licenses and/or will host "webinars" for Neighborhood Councils (NCs) to conduct virtual meetings. The instructions and guidelines within this *EVG Protocols* document is specific for the Zoom virtual meeting platform. Should an NC select another virtual meeting platform, the Department will not be able to provide technical support.

"Webinar" is the Zoom technical term that describes how the NC meeting will be conducted. In order to adhere to the Brown Act, and for cybersecurity measures, NC



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meetings must be conducted as a “webinar.” Recommended settings on Zoom for NC meetings are [available here](#).

TECHNICAL SUPPORT

The Department will provide direct NC support for virtual board meetings under the condition that the meeting is properly agendized and noticed, and abides by the NC’s bylaws.

The Department will continuously provide online training and documents on how to access and utilize Zoom for NC meetings. The Department is committed to providing interpretation services for the NC System to support virtual meetings during COVID19. Through the Department’s *Data Literacy* efforts, we are committed to ensuring access to NC virtual meetings for all participating in the NC System and to bridge the digital divide.

Additional resources are available for:

- [Getting started in a webinar](#)
- [Roles in a webinar](#)
- [Managing roles in a webinar](#)
- [Managing participants in a webinar](#)
- [Joining and participating in a webinar as an attendee](#)
- [Audio echo in a meeting](#)
- [Joining a meeting by phone](#)
- [Language interpretation in meetings](#)
- [Closed captioning](#)
- [Department on Disability](#)

Please note these resources are provided by Zoom and other conditions may apply for NC Virtual Meetings.

The Department will provide direct NC support using Zoom in the following areas:

- Purchase Zoom accounts for each NC to conduct “webinars” meeting for up to 100 attendees.



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- Provide technical support in the form of procedural documents or links from [Zoom Support](#).
- Host regular board “webinar” meetings on behalf of NCs unable to conduct virtual meetings.
- Host special board “webinar” meetings on behalf of NCs unable to conduct virtual meetings, contingent upon availability of staff.
- Assist with the physical posting of meeting agendas, with five (5) business days notice.
- Assist NCs moderate regular board “webinar” meetings, and special board “webinar” meetings, contingent upon availability of staff.
- Communicate regularly with Board Members to seek feedback and suggestions to help improve the virtual meeting experience.
- Arrange for ADA accommodations. (Zoom offers Closed Captioning with instructions on [how to turn on closed captions](#)).
- Arrange and pay for interpretation services for regular board “webinar” meetings, and may extend the service for special board “webinar” meetings.
- Assist NCs with outreach plans to engage stakeholders into participating in virtual NC meetings.

LIMITATIONS

Currently, the Department is operating with limited resources during the COVID-19 pandemic and is following the Mayor’s March 19, 2020 “[SAFER AT HOME](#)” orders. Additionally, 10% of Department staff have volunteered to respond to the call to serve as state-mandated Disaster Service Workers (DSW). The Department is committed to providing direct NC Support to all regular board meetings. The Department may be available to provide support for special board meetings and NEAs may be available to support committee meetings, on a case-by-case basis. We encourage NCs to communicate regularly with their NEA’s to share their needs and to provide feedback.

The City of Los Angeles Information Technology Agency (ITA) has identified Zoom as the virtual meeting platform to conduct public meetings. NCs are expected to follow the technology protocols established by ITA and the Department. Should an NC select another virtual meeting platform, the NC is expected to follow all the rules and procedures set forth in this document and the Brown Act; and the Department will not be able to provide technical support.



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Additionally, each NC maintains its own records retention policy, including recordings of meetings. It is highly recommended that each NC develop a clear process on what is maintained, who maintains NC records, how these records are stored, and who is responsible for responding to California Public Records Act (CPRA) requests.

If a recording is made, the NC should be aware that it is immediately subject to a CPRA request and should not be erased or destroyed until at least 30 days have passed.

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Roles in a Virtual Meeting

There are 4 roles to successfully conduct a virtual NC meeting. To conduct a virtual NC meeting, it is important that the Chair/President has support from fellow Board Members and/or the Department. Although one (1) Board Member can play multiple roles, it is recommended, at the minimum, two (2) Board Members be assigned to the 4 roles. The Department is available to assist NCs host and moderate meetings.

ROLE OF “HOST”

Can be NC Chair/President, Board Member and/or Department Staff

- Receives Zoom license from Department.
- Is the technical lead for the meeting, and can assign a “co-host” to assist.
 - “Host” is the technical term in Zoom who schedules the meeting/webinar.
- Creates a “[Webinar](#),” and sets the [settings](#) (provided by the Department) for NC meetings.
- Assigns Board Members as “panelists”, and [sends webinar invite](#).
- Provides “webinar” telephone number and “Meeting ID” for NC’s agenda. The “webinar” telephone number and “Meeting ID” will offer the public the opportunity to participate telephonically (call-in).
 - “Attendee” invitation information can be found under the “Invitation” tab when setting up a webinar.
 - Copy the invitation telephone number and Meeting ID and insert language at the top of the meeting agenda (e.g. [Commission’s April 14, 2020, Agenda](#)).
- Mutes and unmutes “attendees” participating in public comment.



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- More information about “host”, “co-host”, “panelist”, and “attendee” [available here](#).

ROLE OF “CHAIR”

Is the NC Chair/President

- Chairs the meeting; [Sample Meeting Script 1](#) & [Sample Meeting Script 2](#).
- Provides [“ground rules”](#) at the start of the meeting.
- Guides board/committee members through the agenda.
- Ensures equal speaking opportunities for board/committee members (if time is extended to one, it must be extended to all).
- Ensures equal speaking opportunities for members of the public participating in public comment (if time is extended to one, it must be extended to all).
- Ensures all ADA and interpretation requests are fulfilled by coordinating with the Department.
- Encourages a positive atmosphere.
- Remind the speaker to speak on matters germane to the agenda item.

ROLE OF “MODERATOR”

Can be the NC Chair/President, a Board Member, and/or Department staff:

- Assists the Chair/President by moderating speakers in the queue.
- Reviews the [“Participants” panel](#) and manages [“raised hands”](#) for “Panelist” (Board Members) and “Attendees” (public) in Zoom to see who raised their virtual hand to indicate who wishes to speak.
- Announces speakers during public comment.
- Respectfully notifies the speaker when public comment time has elapsed.
- Organizes, renames, and maintains “Panelist” (Board Members) and “Attendees” (public).
 - Phone numbers of attendees can be renamed to indicate the speaker’s name using the [“Participants” panel](#).
 - Phone numbers of attendees should be renamed to include only the last 4 digits to protect their privacy (i.e. 213-978-1551 to 1551).
- Acts as a “timekeeper” by managing time limits set for each item and speaker.
- Can be the host or be assigned as a co-host to mute/unmute speakers during public comment.



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ROLE OF “RECORDER”

Secretary or Minutes Taker

- Conducts a roll call of Board Members to confirm a quorum for the meeting.
- Takes minutes for the meeting, following the Commission’s [Minutes Policy](#).
- Minutes should include:
 - Start and end time of the meeting.
 - Roll call of Board Members, indicating when they arrived and left.
 - Record motion, to include who made the motion, any amendments.
 - Action taken on any agenda item and how each Board Member voted.
 - Ensures minutes are presented at the Board meetings and posted to the NC website after board approval.

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Conducting A Virtual NC Meeting

BEFORE THE MEETING

- Review the NC’s bylaws and follow Article VIII, Section 2 “Agenda Setting” to set the Board’s agenda ([sample agenda](#)).
 - NC Bylaws can be found at [Empowerla.org/Councils](https://empowerla.org/Councils) under each NC.
- Review this document, *EVG Protocols*, and [Zoom Support Guide](#).
- Be familiar with how an NC takes action, including how abstentions are counted. This [Voting Fact Sheet](#) can provide more information on how votes are counted based on Article V, Section 3 “Official Action” of the NC’s bylaws.
- Ensure all mandatory training is completed. To view Board Member compliance visit: <https://empowerla.org/councils/> and select the specific NC.
 - In order to fully participate at NC board meetings, it is important that ethics, funding and code of conduct training are completed.
 - NC Board Members are required to complete the ethics and funding training in order to be eligible to vote on financial items.
 - Code of Conduct is required for all Board Members in order to serve on the Board.
 - To access the online trainings, visit <https://empowerla.org/nctrainings>
- Connect with Board Members to check-in regarding their ability to access the virtual meeting.



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- Board Members do not necessarily need a Zoom account to participate as long as the host emails each Board Member with a [“webinar” invite](#) (Hosts, Co-Hosts, and Moderators will need a Zoom account).
- Board Members will be able to call-in using the telephone number provided in the “webinar” invite, to participate.
- Board Members should join 15 minutes before the meeting to try to address any technical issues before the meeting starts.
- Connect with the NC’s Neighborhood Empowerment Advocate (NEA) to share Board Member needs.
- Assign Board Members to “roles.”
- Ensure the “host” sets up the “webinar” with the Department’s recommended [Zoom settings](#), which disables the chat, video, Q&A functions of the “webinar” to ensure compliance with the Brown Act. These settings will help mitigate potential disruptions to meetings and “zoom” bombing.
 - Should an NC choose to turn on the video feature for “panelist” (Board Members only), additional language will be required to inform the public how to access the meeting using an internet-enabled device. Please contact the respective NC’s NEA for additional guidance.
- Determine whether or not the virtual NC meeting will be recorded. Zoom offers the [cloud recording services](#), to record video and/or audio.
 - Please note each NC maintains their own records retention policy and will be responsible for fulfilling any California Public Records Act (CPRA).
- Conduct outreach and consider posting the agenda beyond the 72/24 hour requirement, to provide the public with ample notice.

DURING THE MEETING

- All Board action will be determined by a roll vote to allow the public to hear who voted, how they voted, and the final vote.
- All Board Members should practice “virtual etiquette” by muting themselves when they do not have the floor.
- Be patient, and expect delays in response.

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Conducting Public Comment Virtually

The public will attend virtual NC meetings telephonically or via the audio-only online Zoom platform. In both cases, a “panelist” (Board Member) will not be able to see/view the speaker. The public will only be able to listen in and speak when unmuted by the moderator. With the meeting telephone number provided on the agenda, the public will not need a Zoom account, a computer, or internet access to participate in a NC meeting.

OBSERVING THE MEETING

The public can join the NC meeting as an “attendee” by dialing the teleconference phone number provided on the agenda and entering the webinar ID number when prompted. Once the “attendees” enters the meeting, they will be automatically muted but will continue to hear the meeting. During a public comment period, an attendee may request to speak by dialing *9 over the telephone or by utilizing the “raising hand” function on the online Zoom platform. The moderator will then unmute and recognize each speaker one at a time to take public comment.

TWO TYPES OF PUBLIC COMMENT

As with all NC meetings, the public must be given an opportunity to comment on (1) matters listed on the agenda (“agenda item public comment”) and (2) matters that are not listed on the agenda but are within the subject matter jurisdiction of the NC (“general public comment”). Reasonable time restrictions may be placed upon public comment, but any such regulations should be listed on the agenda, announced at the start of public comment, and equitably enforced without regard to the speaker’s viewpoint.

Agenda Item Public Comment

For *agendized* matters, public comment must be taken before the NC considers and votes on the agenda item. Therefore, Agenda Item Public Comment is typically taken each time an agenda item is called. If an NC has a different method of taking public comment (e.g., multiple agenda item comment period), that NC should consult with the Department’s NEA or City Attorney.



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General Public Comment

For matters not listed on the agenda, the opportunity to provide general public comment can be offered at any time during the meeting. Although the public is entitled to provide general public comment on any matter within the NC's jurisdiction, the NC cannot discuss or act on matters not listed on the agenda. The NC may, at most, "briefly respond" to general public comment, for example, by asking a clarifying question or directing that a matter be placed on an agenda for consideration at a future meeting.

A Board Member should not engage in a back-and-forth discussion with the public during public comment.

CONDUCTING PUBLIC COMMENT IN A VIRTUAL MEETING

At the start of the meeting and at each opportunity for public comment, the Chair and/or Moderator should provide verbal instructions to public attendees on how to indicate their desire to speak (dialing *9 or by "raising hand" on Zoom). That is because upon entering the meeting, "attendees" will be muted automatically and will be unmuted only by the moderator during the applicable public comment period.

For Agenda Item Public Comment, the NC will typically take the following steps:

- 1) The Chair announces the agenda number/reads the item description and opens public comment.
- 2) The Chair instructs the public on how to signal an intent to provide public comment. (dialing *9 or by utilizing the "raising hand" function).
- 3) The Moderator recognizes each speaker (by name or last 4 digits of phone number or another identifier), unmutes that speaker, and asks the speaker to identify him/her/themselves before speaking.
- 4) Once the speaker's time has elapsed, the Moderator makes an announcement. Upon completion of public comment, the Moderator re-mutes the speaker.



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- 5) Once all public comment is taken, the NC deliberates and votes upon the agenda item. NC can deliberate before or after public comment, but public comment must be taken before the board votes.

For General Public Comment, the NC will typically take the following steps:

- 1) The Chair opens the General Public Comment period.
- 2) The Chair explains the purpose of the General Public Comment period (matters not listed on the agenda but within the subject matter jurisdiction of the NC) and the amount of time each person is allotted.
- 3) The Chair instructs the public on how to signal an intent to provide public comment (dialing *9 or by utilizing the “raising hand” function).
- 4) The Moderator recognizes each speaker (by name or last 4 digits of phone number or another identifier), unmutes that speaker, and asks the speaker to identify him or herself before speaking.

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Security Settings

The Department will provide one (1) Board Member with one (1) Zoom license via email. The assigned Personal Meeting ID (PMI) is the default meeting that launches when scheduling meetings and webinars. Do not share the NC’s PMI.

In order to abide by the Brown Act, be sure to follow the Department’s [recommended settings](#) in Zoom to disable the chat, video, and Q&A functions; and be familiar with how to set up a “webinar.” A “webinar” is how NC meetings will be conducted. Zoom has the ability to set “meetings”, however, this is not the appropriate forum for public meetings.

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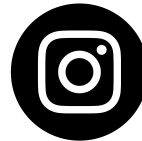
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