



**Executive Committee Meeting
AGENDA**

**Monday, January 13th, 2025 - 5pm
4005 Port Chicago Hwy, Concord, CA 94520**

The Executive Committee meeting will be accessible in-person, and via Zoom to all members of the public. Persons who wish to address the Committee members during public comment or with respect to an item on the agenda may call in during the meeting by dialing 669-444-9171 or 669-900-6833 or use the “raise your hand” feature in the Zoom app. The Committee Chair may reduce or eliminate the amount of time allotted to read comments at the beginning of each item or public comment period depending on the number of comments and the business of the day. Your patience is appreciated.

Virtual Meeting Information:

Join Zoom Meeting

<https://us02web.zoom.us/j/88005124018?pwd=A7FnbMK3D5LJvPVBHprKFYdgKifc3L.1>

Meeting ID: 880 0512 4018

Passcode: 242219

- 1.0 Convene and call to order**
- 2.0 Public Comment**
- 3.0 Approve the Minutes of the Executive Committee Meetings on December 16th, 2024** **Action**
- 4.0 CONSIDER accepting the report on significant program, financial or contracts matters, and on any personnel matters relating to Commission staff.** **Discussion**
 - 4.1** Receive updates from the Deputy Director
 - Regional Groups Report and Parent Advisory Group Updates
 - 4.2** Receive updates from the Finance and Operations Director
 - FY 25/26 Budget Preparation Review: Assumptions and Projections
 - 4.3** Receive updates from the Executive Director
 - Sustainability Plan Development and Workflow
- 5.0 DISCUSS matters regarding the operation of the Commission.** **Discussion**
- 6.0 CONSIDER accepting the report on statewide activities pertaining to children 0-5, including the activities of the First 5 Association of California, First 5 California, and other statewide advocacy groups.** **Discussion**
- 7.0 REVIEW agenda items for upcoming Commission Meetings.**
- 8.0 Communications**
 - Email from First 5 California regarding First 5 IMPACT Legacy funding
 - Memo from County Counsel re: Remote Attendance at Brown Act Meetings as a Reasonable Accommodation under the Americans with Disabilities Act (ADA)
 - Memo from County Counsel re: Revised Limits for Meeting Participation Using an Alternative Remote Teleconferencing Option (“Just Cause” or “Emergency Circumstances”)

9.0 Adjourn

The public may comment on any agenda item or any item of public interest within the jurisdiction of the First 5 Contra Costa Children and Families Commission. In accordance with the Brown Act, if a member of the public addresses an item not on the posted agenda, no response, discussion, or action on the item may occur.

The First 5 Contra Costa Children and Families Commission will provide reasonable accommodations for persons with disabilities planning to participate in Commission meetings who contact the Commission’s offices, at least 48 hours before the meeting, at (925) 771-7300.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the First 5 Contra Costa Children and Families Commission to a majority of members of the First 5 Contra Costa Children and Families Commission less than 96 hours prior to that meeting are available for public inspection at 1485 Civic Court, Suite 1200, Concord, CA 94520 during normal business hours.

In consideration of those who may suffer from chemical sensitivities and may have allergic reactions to heavy scents, First 5 Contra Costa requests that staff and visitors refrain from wearing perfume, cologne, or the use of strongly scented products in the work place. We thank you for your consideration of others

Special Executive Committee Meeting
MINUTES
Monday, December 16, 2024, 5:00-6:00pm
4005 Port Chicago Highway, Suite 120, Concord, CA 94520

1.0 Convene and call to order.

Chair John Jones called the meeting to order at 5:03 p.m.

In attendance: John Jones, Dr. Marla Stuart, Vidya Iyengar

Staff present: Executive Director, Dr. Ruth Fernández; Deputy Director, Sandra Naughton; Finance and Operations Director, Kelly Sessions, Operations Manager, Tammy Henry; Executive Assistant, Mikele Nelson.

2.0 Closed Session - Public Employee Performance Evaluation (Gov. Code § 54957.6)

Title: Executive Director

Chair John Jones moved the meeting into a Closed Session at 5:03p.m and resumed the meeting at 5:33p.m. He had nothing to report.

3.0 Public Comment.

No public comment.

4.0 Approve the Minutes of the Executive Committee Meeting on:

- 4.1 Executive Committee Meeting on September 30, 2024
- 4.2 Special Executive Committee Meeting on October 28, 2024
- 4.3 Special Executive Committee Meeting on November 1, 2024.

Dr. Marla Stuart motioned to approve the minutes of the Executive Committee meetings on September 30, October 28, and November 1 and John Jones seconded the motion. The minutes were approved.

5.0 CONSIDER accepting the report on significant program, financial or contracts matters, and on any personnel matters relating to Commission staff.

5.1 Receive updates from Deputy Director

Sandra Naughton provided program updates:

Start Early – Sandra reminded the group that our agency’s application for Start Early’s pro-bono consulting services to create a digital systems map of countywide early childhood programs and systems will begin in January and culminate in June.

Inclusion RFXs – Sandra shared that the staff is in the final stages of two RFX processes related to the inclusion project funded by Measure X and Prop 10. In the coming weeks, the agency will select a contractor to implement mental health consultation services to child care programs, and multiple contractors for community-based outreach services to focal populations about early intervention. Both sets of services for these RFXs relate to the recommendations identified through the community engagement process First 5 conducted this fall to enhance inclusion in ECE.

Community Impact Report - Sandra noted the Community Impact Report would be presented later at the full Commission meeting by herself and Data & Policy Analyst Sarah Burke.

5.2 Receive updates from the Finance and Operations Director:

Kelly Sessions provided updates on:

Draft Timeline for Budget Process – The 2025 goal is to finish approximately a month earlier than in previous years. The plan is to be finished in March, so Programs will have more time to finalize contracts and be ready to launch on July 1. He reported we have rolled out budget forms to staff for review.

Qtr 1 Financial Report – Kelly provided an overview of the current budget, highlighting revenues and expenditures as well; he noted we have just begun to receive payments from the Dean and Margaret Leshner Foundation grant which will be reflected in future quarterly reports.

5.3 Receive updates from the Executive Director

Dr. Ruth Fernández reported:

Sustainability – Ruth provided an update to the committee about the timeline ahead to kick-off the development of First 5 Contra Costa's Sustainability Plan. She described what would be a six-month planning process led and facilitated by a consultant. The consultant will provide strategic planning, policy analysis, and stakeholder engagement for the creation of the plan. The timeline includes the creation of a Work Group that will provide strategic thinking and direction for the development of the plan. The goal is to have a draft plan to present to the Commission at the June 2025 Commission meeting for adoption and approval.

6.0 DISCUSS matters regarding the operation of the Commission.

6.1 Review and discuss proposed 2025 Commission Meeting Calendar

Dr. Ruth Fernández noted that there are two new meeting dates added to the calendar for 2025 to allow for approval and processing of budgets and contracts in a timely manner in the upcoming year.

6.2 Review Officer Slate for 2025 Executive Committee Recommended by Nominating Committee

Chair John Jones reviewed the names of the incoming 2025 Executive Committee Officers decided on by the Nominating Committee.

7.0 CONSIDER accepting the report on statewide activities pertaining to children 0-5, including the activities of the First 5 Association of California, First 5 California, and other statewide advocacy groups.

Nothing to report.

8.0 Review agenda items for upcoming Commission Meetings.

Dr. Ruth Fernández highlighted the additional meetings and agenda items added and shifted for 2025 on the Executive Administrative Calendar.

9.0 Communications

- First 5 IMPACT Legacy Funding Letter to the First 5 California Commission

10.0 Adjourn – Meeting adjourned at 5:58 p.m.

From: F5IMPACT <IMPACT@first5.ca.gov>

Sent: Thursday, December 19, 2024 1:57 PM

Subject: IMPACT Legacy Update

Dear IMPACT Legacy Grantees,

First 5 California (F5CA) appreciates your patience and grace while we make funding decisions for the remaining two years of IMPACT Legacy, and reviewed the recent Annual Progress Report. Due to diminishing revenue, F5CA must exercise caution in ensuring that revenue is adequate to support the expenses of commission-approved projects, notably IMPACT Legacy.

F5CA is happy to announce that IMPACT Legacy will be funded for the Fiscal Year (2025-26). Funding will be lowered to 90% of existing yearly allocation levels, subject to income availability. Additional information on award procedures and funding allocations will be available in early 2025. Decisions on the fourth and final year (FY 2026-27) of IMPACT Legacy will be subject to revenue availability.

F5CA staff wishes you a happy holiday season and a joyful new year.

Office of the County Counsel
1025 Escobar Street, 3rd Floor
Martinez, CA 94553

Contra Costa County
Phone: (925) 655-2200
Fax: (925) 655-2263

Date: December 30, 2024

To: Staff to Advisory Bodies

From: Thomas L. Geiger, County Counsel 

Re: **Remote Attendance at Brown Act Meetings as a Reasonable Accommodation under the Americans with Disabilities Act (ADA)**

This memo describes a new option for members of the County's advisory bodies to attend meetings remotely if they have a qualifying disability that precludes their in-person attendance at advisory body meetings, and explains the procedure for advisory body members to attend meetings remotely as an accommodation for a qualifying disability.

Background

Under the Brown Act, members of County advisory bodies generally must attend meetings in person. They also may participate remotely under the Brown Act's traditional teleconferencing rules, or they may participate remotely for "just cause" reasons or under "emergency circumstances." If an advisory body member participates from a remote location under the Brown Act's traditional teleconferencing rules, the public must be allowed to attend the meeting at the remote location.

Until recently, the California Attorney General had advised that counties and cities were not permitted to provide a teleconferencing connection at a non-public location as an accommodation for an advisory body member with a disability who is unable to attend a regularly scheduled meeting. (84 Ops.Cal.Atty.Gen. 181 (2001).) The Attorney General had concluded in its 2001 opinion that allowing an advisory body member to participate remotely in a public meeting from a location not open to the public would result in a meeting held in violation of the Brown Act.

The Attorney General, however, has reconsidered its previous opinion and now advises that the Americans with Disabilities Act (ADA) generally requires that an advisory body member who has a qualifying disability that prevents them from attending meetings in person must be allowed to participate remotely in the body's meetings from a non-public location. (Opinion No. 23-1002.) The Attorney General advises that when a member with a qualifying disability participates remotely from a non-public location, the member must (1) use two-way video and audio streaming in real time; and (2) disclose the identity of individuals 18 years or older who are present with the member at the remote location and the general nature of the member's relationship with any of these individuals.

Procedure for Requesting Remote Attendance as a Reasonable Accommodation

Before an advisory body member with a qualifying disability attends a meeting remotely, the member must request to appear remotely as a reasonable accommodation and receive approval from the Clerk of the Board. Examples of a qualifying disability that would prevent in-person attendance include, but are not limited to, a mobility disability, an immunocompromising disability, or a disability that limits time spent outside of home or bed.

To request this accommodation, the member must submit a written request to the Clerk of the Board at least one week before the time of the first meeting for which remote attendance is requested. The request may be in a letter or via email, with the phrase “Advisory Body Reasonable Accommodation” in the subject line. Requests should be sent to clerkoftheboard@cob.cccounty.us. The Clerk of the Board will evaluate and approve or deny the request using the following criteria:

1. The request to attend remotely as a reasonable accommodation must include the following:
 - a. A self-attestation that the accommodation is needed as a result of a disability.
 - b. A general description explaining the need for the accommodation, which need not exceed 20 words. The member does not need to submit medical documentation or disclose a medical diagnosis or disability.
 - c. The duration of the requested accommodation.
 - d. The name of the advisory body on which the member sits.
2. In consultation with the member with a disability, the Clerk of the Board will determine if the request is approved and the most effective way to provide the accommodation. Responses to reasonable accommodation requests will be provided in writing in a timely manner before the start of the specific meeting. Otherwise, the response will be provided orally, followed by written confirmation.
3. If the Clerk of the Board approves remote appearance as a reasonable accommodation, the member may appear remotely at meetings for the approved duration of the accommodation. Members may be granted a teleconferencing accommodation on a permanent basis or a temporary basis. The duration will be determined in accordance with the member’s disability-related needs. For temporary disabilities, the member may need to seek reapproval from time to time, as determined by the Clerk of the Board.

Procedures for Attending Meetings Remotely as a Reasonable Accommodation

During every meeting that a member attends remotely as an approved reasonable accommodation, the member must:

1. Use two-way, real-time video and audio streaming; and
2. Disclose the presence of other adults at the remote location and nature of the member’s relationship with these individuals.

When a member attends a meeting remotely as an approved reasonable accommodation, the following Brown Act requirements are waived with respect to the remote location:

1. Including the teleconference location in the notice and agenda;
2. Posting the meeting agenda at the teleconference location; and
3. Allowing public access to the teleconference location.

cc: Board of Supervisors
Monica Nino, County Administrator
Jami Morritt, Chief Assistant Clerk of the Board


TLG:
H:\2024\County Administrator\Brown Act rsbl acco.docx

Office of the County Counsel
1025 Escobar Street, 3rd Floor
Martinez, CA 94553

Contra Costa County
Phone: (925) 655-2200
Fax: (925) 655-2263

Date: December 27, 2024

To: Staff to Advisory Bodies

From: Thomas L. Geiger, County Counsel
By: Hannah M. Shafsky, Deputy County Counsel 

Re: **Revised Limits for Meeting Participation Using an Alternative Remote Teleconferencing Option (“Just Cause” or “Emergency Circumstances”)**

This memo describes a change in the Brown Act rules that allow advisory body members to participate in meetings remotely for a “just cause” reason or due to “emergency circumstances.” “Just cause” includes a need to care for a family member, a contagious illness that prevents in person attendance, a need related to a disability not otherwise accommodated for, and travel while on official business of the body or other public agency. “Emergency circumstances” is a physical or family medical emergency that prevents a member from attending the meeting in person.

Assembly Bill 2302, effective January 1, 2025, revises the limits on the number of remote appearances a member can make for “just cause” reasons or under “emergency circumstances.” The law now prohibits using one of these alternative remote teleconferencing options for more than a specified number of meetings per year, based on the regular meeting schedule of the legislative body.

Under the revised rules for these alternative teleconferencing options, a member of a body may not participate via teleconference from a remote location for more than the following number of meetings:

- 2 meetings per year, if the body regularly meets once per month or less.
- 5 meetings per year, if the body regularly meets twice per month.
- 7 meetings per year, if the body regularly meets three or more times per month.

The existing restriction that limits a member’s remote participation for “just cause” to no more than 2 meetings per calendar year remains in place.

Below are some examples of how many meetings per year a member of an advisory body may attend remotely under the alternative teleconferencing rules if the body regularly meets twice per month:

The member may attend:

- 2 meetings for a just cause reason and 3 meetings under emergency circumstances.
- 5 meetings under emergency circumstances and 0 meetings for a just cause reason.

The member may not attend:

- 3 meetings for a just cause reason and 2 meetings under emergency circumstances.

Otherwise, the rules regarding the alternative teleconferencing option remain unchanged, including the requirement that a quorum of the body must meet in person when a member is attending remotely using one of the alternative teleconferencing options. There are no changes to the rules regarding the traditional teleconferencing option.

The attached chart provides a detailed summary of the requirements for traditional teleconferencing and teleconferencing for “just cause” or due to “emergency circumstances.”

The new law on the two alternative teleconferencing options will remain in effect until January 1, 2026.

HMS:

Attachment: Teleconference Meeting Options Comparison Chart

cc: Board of Supervisors
Monica Nino, County Administrator
Jami Morritt, Chief Assistant Clerk of the Board

Teleconference/Remote Meeting Options

	Traditional Teleconferencing (Gov. Code, § 54953(b).)	Alternative Teleconferencing (Gov. Code, § 54953(f))
Applicable Timeframe	<ul style="list-style-type: none"> ▪ Available anytime. 	<ul style="list-style-type: none"> ▪ Available between <u>January 1, 2025</u> and <u>January 1, 2026</u>.
Who May Appear Remotely and Quorum Requirements	<ul style="list-style-type: none"> ▪ Individual board members, if at least a quorum of the members of the body participate from locations within the jurisdictional boundaries of the body. 	<ul style="list-style-type: none"> ▪ Individual board members if: <ol style="list-style-type: none"> (1) a quorum of the members of the body participates in person; and (2) the quorum meets in a single, physical location clearly identified on the agenda that is open to the public and situated within the agency’s jurisdiction.
Bases for Remote Appearance	<ul style="list-style-type: none"> ▪ Applies when a board member is unable to attend in person. 	<ul style="list-style-type: none"> ▪ A member may appear remotely for “Just Cause” or “Emergency Circumstances”: <ul style="list-style-type: none"> ▶ “Just cause” is any of the following: <ol style="list-style-type: none"> (1) A need to care for a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner; (2) A contagious illness that prevents a member from attending in person; (3) A need related to a physical or mental disability that is not otherwise accommodated for; or (4) Travel while on official business of the body or another state or local agency. ▶ “Emergency circumstances” is a physical or family medical emergency that prevents a member from attending in person.
Notification and Approval Requirements	<ul style="list-style-type: none"> ▪ No additional requirements. 	<ul style="list-style-type: none"> ▪ To attend remotely for: <ul style="list-style-type: none"> ▶ “Just Cause” ▪ The member must notify the body at the earliest possible opportunity, including at the start of a regular meeting, of the need to participate remotely.

	Traditional Teleconferencing (Gov. Code, § 54953(b).)	Alternative Teleconferencing (Gov. Code, § 54953(f))
		<ul style="list-style-type: none"> ▪ The member must provide a general description of the circumstances necessitating the remote appearance. ▪ The body need not take action in response. <ul style="list-style-type: none"> ▶ “Emergency Circumstances” ▪ The member’s request to appear remotely must include a general description of the need to appear remotely, which need not exceed 20 words, and need not include any personal medical information. ▪ The member must make the request to participate remotely as soon as possible and must make a separate request for each meeting. ▪ The body must take action on the request at a public meeting. ▪ If there is insufficient time to include the item on a posted agenda, the body may take action at the beginning of the meeting. ▪ Approval must be by majority vote.
Agenda and Public Access and Comment Requirements	<ul style="list-style-type: none"> ▪ The teleconference location must be open to the public. ▪ The agenda must be posted at all meeting locations, including the teleconference location. ▪ The agenda must identify all meeting locations, including the teleconference location. ▪ The agenda must provide for public comment at all meeting locations, including the teleconference location. 	<ul style="list-style-type: none"> ▪ Must provide notice and post agendas as otherwise required under the Brown Act and must indicate on the notice how the public may access the meeting and offer comment. ▪ The agenda must include an opportunity for all persons to attend and address the body via a call-in option, an internet-based service option, and at the in-person location. ▪ The law does not require that the agency post an agenda at the remote location, include the address of the remote location, or provide for public access to the remote location.

	Traditional Teleconferencing (Gov. Code, § 54953(b).)	Alternative Teleconferencing (Gov. Code, § 54953(f))
		<ul style="list-style-type: none"> ▪ The body may not require public comments to be submitted in advance and must allow the public to address the body and comment in real time. ▪ An individual may be required to register for public comment before being allowed to comment, where the body uses a third-party platform (like Zoom) for the meeting.
Voting Requirements	<ul style="list-style-type: none"> ▪ Members must vote by rollcall. 	<ul style="list-style-type: none"> ▪ Members must vote by rollcall.
Technological Requirements		<ul style="list-style-type: none"> ▪ The public must be able to remotely hear and visually observe the meeting, and remotely address the body. Thus, the body must provide either: <ul style="list-style-type: none"> (1) a two-way audiovisual platform; or (2) a two-way telephonic service and a live webcasting of the meeting.
Other Requirements		<ul style="list-style-type: none"> ▪ If a member participates remotely, the member must also: <ul style="list-style-type: none"> (1) Publicly disclose at the meeting before any action is taken, whether any other individuals 18 years or older are in the room at the remote location with the member and the general nature of the member’s relationship with such individuals; and (2) Participate through both audio and visual technology. ▪ If the broadcasting of the meeting to the public by phone or internet service is disrupted, or a disruption within the local agency’s control prevents members of the public from commenting using the phone or internet service, the body shall not take any action at the meeting, until public access to the meeting via the phone option or the internet service option is restored. Actions

	Traditional Teleconferencing (Gov. Code, § 54953(b).)	Alternative Teleconferencing (Gov. Code, § 54953(f))
		<p>taken on agenda items during a disruption that prevents the body from broadcasting the meeting may be challenged pursuant to Section 54960.1.</p> <ul style="list-style-type: none"> ▪ The body must have and implement a procedure for receiving and quickly resolving reasonable accommodation requests for individuals with disabilities. Any doubt should be resolved in favor of accessibility.
<p>Limitations on Frequency of Remote Appearances</p>	<ul style="list-style-type: none"> ▪ None. 	<ul style="list-style-type: none"> ▪ A member may participate remotely for “just cause” no more than two times per calendar year. ▪ A member may not participate remotely for more than the following number of meetings: <ul style="list-style-type: none"> (1) 2 meetings per year, if the body regularly meets once per month or less; (2) 5 meetings per year, if the legislative body regularly meets twice per month; and (3) 7 meetings per year, if the body regularly meets three or more times per month.