FACT Meeting Minutes

February 3, 2025 9:30 a.m. – 11:30 a.m. 40 Douglas Drive, Martinez, CA Room 101/102



Call to Order - 9:32am

Committee Member Roll Call:

Mary Flott - Present	Isabel Renggenathen - Present	Carol Carrillo – Absent/Recused	Dr. Rhiannon Shires - Present	Emily Hampshire - Present
Nakenya Allen -	Maura Millson -	Erin Cabezas -	Yvonne Wadleigh -	Kay Reed - Present
Present	Present	Present	Present	

Staff: Laura Malone, Jan Nelson

Guests: None

1. Review and Accept Minutes (January 6, 2025)

- Mary motioned to accept the minutes, Yvonne seconded. Passed unanimously

2. FACT Membership Update, Organization & Action Items

- Receive Membership Update
 - One At Large seat remains vacant. One applicant in queue, Sani Momah was invited to meeting, not in attendance.
- Review, Consider and if appropriate, Accept FACT Applicant for FACT Committee Membership recommendation.
 - Applicant was not in attendance. Committee would like to see if applicant is available at March FACT meeting for Committee to vet. Deferred to March.
- Remote Meeting Participation Updates
 - Reviewed two additional California Brown Act regulations received from Clerk of the
 Board on January 9, 2025. First memo New Options for Remote Attendance includes:
 - If the member has a qualifying disability* that precludes their in-person attendance at advisory body meetings, allows for an accommodation for a qualifying disability.
 - Under the qualifying disability accommodation, allows for the remote attendance from a non-public location.
 - Must use 2 way video and audio streaming in real time

- Disclose the identify 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.
- Prior to supporting this accommodation, the member must request approval from the Clerk of the Board. Refer to memo for specific instructions.
- *Qualifying disability examples 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.
- Dr. Shires requested clarification regarding a physical disability that may not be
 a permanent nor ongoing disability but one day good, one day bad. Laura will
 check with Clerk of the Board and report back.
- Second memo from Clerk of the Board revises the limits on the number of remote appearances a member can make for "just cause" reasons or under "emergency circumstances".
 - Under revised rules a member of a body may not participate via teleconference from a remote location for more than a defined number of meetings based on the number of regularly scheduled meetings per month.
 - For FACT, it's no more than 2 remote meetings per year, given FACT regularly meets once per month or less. Therefore, no change for FACT.

3. FACT 2024 Request for Proposal

- RFP Status, RFP Instructions and Next Steps
 - o Proposal Responses were due Friday, January 31, 2025
 - 16 Proposal Responses were received. EHSD Compliance Review will begin today.
 - Fiscal Evaluation is scheduled to start on February 10th. Typically proposals with 70 points or higher will pass Fiscal review and qualify the bidder proposal to advance to FACT Committee evaluation review.
 - FACT Committee evaluation is scheduled to start on February 24th and end on March 21, 2025.
 - At the April 7 meeting, there will be a public review of scorings. Guests are welcome to listen but not allowed to participate in the scoring evaluation process. To maintain anonymity during the public meeting process, proposals are numbered; no agency names are used.
 - EHSD is creating a Microsoft Team channel and folder for Committee members to support the evaluation process and access the proposals. Access is targeted to be provided to the Committee no later than February 24th. Access will be sent out via email to each member.
 - Walked through RFP MS Teams Access document, instructions and what committee members can expect.
 - Reviewed RFP Evaluation Instructions and walked through the evaluation documentation and process.
 - Discussed RFP evaluation results next steps and process. Results are expected to be reviewed and finalized at the regularly scheduled April FACT meeting. Agreed to have the preliminary Evaluation Results Summary Matrix available as part of the agenda packet for the April meeting.

4. FACT 2024 Tax Donation Update

- Update on 2024 FACT Tax Donations, next steps and estimated timing for donor information and letter generation
 - Letters complete. 237 letters generated. Kay and Isabel are hand signing the donation letters. Cynthia will compile and send out. Donation stats will be provided at the March meeting.

 Inquiry about next cycle of donations. Property taxes are due on November 1 and February 1 (next installment of donations expected by mid-April).

5. Discussion/Announcements/Public Comment

Kay and Dr. Shires provided public comment.

Adjourn – 11:31am

ACTION ITEM ADDITIONS FROM THIS MEETING

Deliverable	Responsible Party	Assigned Date/Due Date

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 inperson 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.

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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:

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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:

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:

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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	Available anytime.	• Available between <u>January 1, 2025</u> and <u>January 1, 2026</u> .
Who May Appear Remotely and Quorum Requirements	• Individual board members, if at least a quorum of the members of the body participate from locations within the jurisdictional boundaries of the body.	 Individual board members if: (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	Applies when a board member is unable to attend in person.	 A member may appear remotely for "Just Cause" or "Emergency Circumstances": ▶ "Just cause" is any of the following: (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	No additional requirements.	■ To attend remotely for: ■ "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.

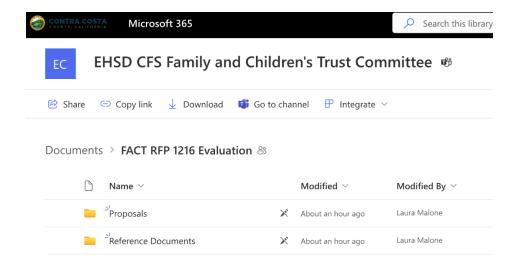
	Traditional Teleconferencing (Gov. Code, § 54953(b).)	Alternative Teleconferencing (Gov. Code, § 54953(f))
		 The member must provide a general description of the circumstances necessitating the remote appearance. The body need not take action in response. ▶ "Emergency Circumstances" The member's request 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	 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. 	 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))
		• 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	Members must vote by rollcall.	Members must vote by rollcall.
Technological Requirements		• The public must be able to remotely hear and visually observe the meeting, and remotely address the body. Thus, the body must provide either:
		(1) a two-way audiovisual platform; or(2) a two-way telephonic service and a live webcasting of the meeting.
Other Requirements		If a member participates remotely, the member must also:
		 (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))
		taken on agenda items during a disruption that prevents the body from broadcasting the meeting may be challenged pursuant to Section 54960.1. 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.
Limitations on Frequency of Remote Appearances	■ 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: 2 meetings per year, if the body regularly meets once per month or less; 5 meetings per year, if the legislative body regularly meets twice per month; and 7 meetings per year, if the body regularly meets three or more times per month.

Family and Children's Trust (FACT) Request for Proposal (RFP) 1216 Evaluator Instructions:

All files associated with the Proposal Evaluation process is available via a secured EHSD Microsoft (MS) Teams folder. Please refer to the FACT RFP 1216 Microsoft Teams Access Instructions document to access.



Step 1 – Read/review the Reference Documents - listed below and accessible in the FACT RFP 1216 Evaluation MS Teams folder titled "Reference Documents". You may need to refer back to these documents while performing the evaluation.

- RFP1216 Family and Childrens Trust FINAL This is the FACT RFP document that was published to the community and provides information about the services that are being requested by FACT for which proposal responses were received. The "RFP" should be re-read to confirm the evaluator's understanding of what was expected for the respondents to deliver as services, to whom they should be delivered, and what was required to be included in the Proposal Response.
- RFP 1216 Questions Answers FINAL This document identifies the Questions submitted by potential Bidders and includes the Answers provided by EHSD Staff.
- RFP Evaluation Reference Sheet FINAL This document identifies the Questions submitted by potential Bidders and includes the Answers provided by EHSD Staff.

Step 2 – Read/review the Proposal Responses and evaluate each Proposal Response from each respondent using the Proposal Response Worksheet. There are XXXX (#) Proposal Responses. Evaluators can determine the method for managing the read/review/evaluate process. Read all at once and then evaluate all at once, read one at a time and evaluate one at a time, or a combination of the two.

Proposal Responses – All Proposal Responses are located in the MS Teams folder.

Do not download the proposals to your device, computer, laptop, and/or workstation.

INCLUDE SCREENSHOT OF MS Teams Folder/File Listing once Proposals are added

 Do not contact any organization providing proposals for elaboration or clarification of proposal and/or budget information. Doing so may be perceived as a disadvantage to other organizations and put the RFP and award process at risk.

Step 3 - For **each** Proposal Response, fill out a separate Proposal Evaluation Worksheet.

• RFP 1216 FACT Evaluation Worksheet FINAL — This is the document that you will use to evaluate and score each Proposal Response.

The Proposal Evaluation Worksheet can be found in the MS Teams FACT RFP 1216 Evaluation folder.

You can fill out the Proposal Evaluation Worksheet electronically or by hand.

Step 3a - Print and/or download the worksheet to your local device, computer, laptop and/or workstation. You will need one (1) Proposal Evaluation Worksheet for each Proposal Response*. You will end up with XXXX (#) completed Proposal Evaluation Worksheets.

To fill out electronically, download and save a copy of the Proposal Evaluation Worksheet to your local device, computer, laptop and/or workstation. Save as a new file for each of the XXXX (X) Proposal Responses.

If filling out by hand, print a copy of the Proposal Evaluation Worksheet for each of the XXXX (#) Proposal Responses.

Step 3b - Fill out the Proposal Number, Name of the Proposal Applicant, your name (as Rater/Reviewer) and date on the first page of the worksheet. Then on each subsequent page of the worksheet fill out the Proposal Number and Name of the Proposal Applicant to identify the pages assigned to the corresponding proposal/scoring.

Step 3c – Evaluate the proposal response. Compare each scoring section of the worksheet against the topic requirements, the RFP and the Proposal Response.

The Proposal Evaluation Worksheet provides questions, prompts and maximum points allowed to help with evaluating the requirement for each scoring section.

Step 3d – assign a score for each section of the worksheet where points are available. The "Maximum Points" referenced in the worksheet represents the max points allowed for that section. In the "Points Earned" column, enter the number of points you've scored the proposal for the corresponding section.

Include if/as appropriate your evaluator notes in the NOTES field at the bottom of each scoring section on the worksheet to support the points allocated. Reference example entry below:

Criteria	Maximum Points	Points
 I. Statement of Need (5 pts.) To what extent does the project address one or more of the priorities identified in the RFP? Is available data provided? Does the data provided justify the need for the project? Does the project reflect the ethnic, geographic and service needs of the community? 	5	Z
NOTES: () NOW-MESPONSIVE TO IMENTIFICATION OS SPECIFIC FUNDING PRIOTISTY (2) NO IDENTIFICATION OF IMPACT / HE CUS (3) NO ID OF SPFG INCORPORATION	ENTS	

Once you've completed the point allocation for each section, add up the Points Earned column and enter the total into the Total Points field. Reference example entry below:

		17
TOTAL	100	" / /

Step 3e - At the bottom of each Proposal Evaluation Worksheet based upon the evaluation results, provide your individual recommendation on whether the Proposal Applicant "Should" or "Should not be" selected as a FACT funding recipient, include reasoning for your funding recommendation in the comments section. Reference example entry below:

CHECK ONE: ON THE 18 VBB ET
My recommendation is that this candidate Should Should not be selected
WHY OR WHY NOT (Please provide additional comments)
MOST RECONCIE TO 5 PF'S / BKC -
Our MANDAIE
MOST 19 SPECIFIC PHOSONSTEES
POLICE RELIEN TO PROVE FORWARD GOOD PROGRAM
CNZY RELSON TO MOVE FORWARD GOOD PROGRAM Additional Notes: IN HICH NEED MEEL OF COUNTY

Step 4 – Repeat Steps above until all Proposal Evaluations and corresponding Evaluation Worksheets are completed.

Step 5 - Download, read, sign and date the Impartiality Statement form located in the FACT RFP 1216 Evaluation MS Teams folder. Only one copy is needed. Can be signed electronically or by physical wet signature. If completed by physical wet signature, please scan the signed form and save it as a pdf file.

• Impartiality Statement RFP 1216 – required for all evaluators to indicate they have provided fair and impartial judgment of each proposal.

Step 6 – Return the Completed Evaluation Packets to CFS via email. This is the last step in the process.

- The Completed Evaluation Packet includes:
 - XXXX (#) Completed Evaluation Worksheets
 - One (1) signed Impartiality Statement

Step 6a – Ensure that you have completed all XXXX (#) Proposal Evaluation Worksheets (one for each Proposal with all pages included), with your name, Proposal Number and Name of the Applicant Agency, scores/comments for each section, and final recommendations included on each.

If you completed the worksheets by hand, please scan the completed worksheets and save as a single pdf file.

Step 6b - Send the completed Evaluation Packet via email to Laura Malone and Jan Nelson at malonl@ehsd.cccounty.us and nelsojb@ehsd.cccounty.us

Family and Children's Trust Request for Proposal (RFP) 1216 Microsoft Teams Access Instructions:

All files associated with the Family and Children's Trust (FACT) RFP 1216 Proposal Evaluation process will be available via a secured FACT Microsoft (MS)Teams folder.

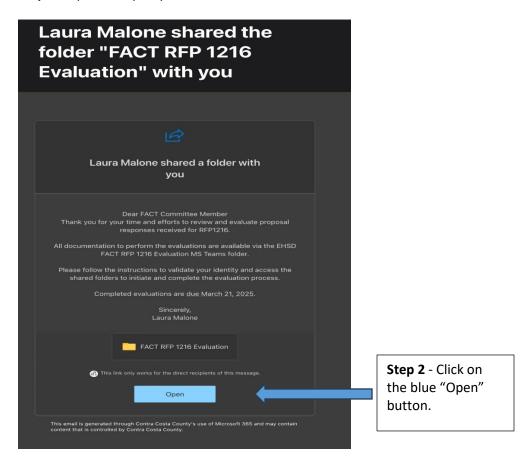
Each Evaluator will receive an email that allows access to the shared FACT RFP 1216 Evaluation folder located within the EHSD secured MS Teams account. Before Evaluators are allowed to access the secured folder, Evaluators will need to validate their identity using their email address. Once validated, the Evaluator will be redirected to the MS Teams folder where the files can be accessed to initiate and complete the evaluation.

Reference steps and screenshots below to access the RFP Proposal Evaluation folder and files.

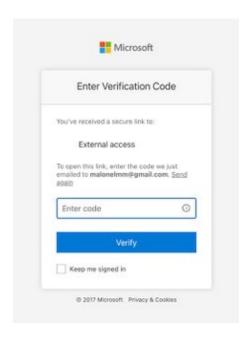
Each Evaluator will receive an email from Laura Malone with a link that allows access to the shared FACT RFP 1216 Evaluation folder. It will appear in your email in box as follows:



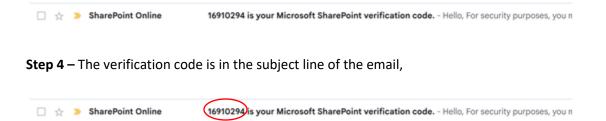
Step 1 - Upon receipt, open the email.



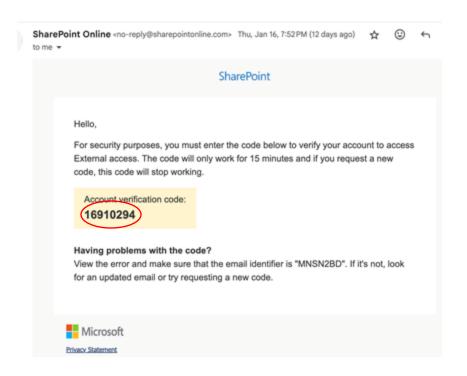
Step 2a - The following screen will appear requesting a Verification Code – *do not close this screen, keep it open*:



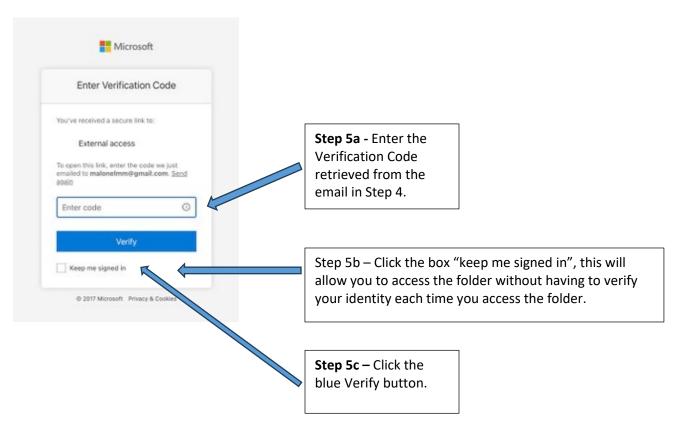
Step 3 – Go to your Email In Box: The verification code will be sent from "SharePoint Online" to your email address on file for FACT Committee membership. It will appear in your email in box as follows:



OR, you can open the email to retrieve the verification code (note - the verification in the screenshot below represents an example verification code – each individual will receive their own unique and individual verification code for entry).

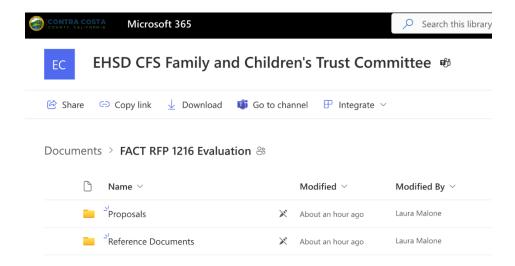


Step 5 - Return to the Enter Verification Code screen (left open in Step 2a)



Note – you have 15 minutes to complete the verification process or the verification code will stop working and you'll need to close out the screens, start over at Step 2 and go through the steps again.

Step 6 - Once verification is confirmed, you will be redirected to the EHSD CFS Family and Children's Trust MS Team site FACT RFP 1216 Evaluation folder:



You now have access to all FACT RFP 1216 reference & evaluation documents as well as the submitted proposals.

Step 7 - Access the FACT RFP 1216 Evaluator Instructions document to continue the evaluation process.

COMPLETE