



## **Recommendations to Promote Equitable Public Participation in Local and State Government Public Meetings During and After COVID-19**

Public participation is a crucial part of our democratic process, including the ability for all residents to engage in public board, commission, and legislative meetings and to provide public comment. **All residents should be given the opportunity to have their voices heard in local, regional and state decision-making processes, in an inclusive and transparent manner.**

The COVID-19 pandemic and associated public health and economic crises that it has created have made such participation challenging, as California remains under a shelter-in-place order. However, the State and local governments must rise to the challenge and refuse to allow democracy to falter in the face of this pandemic—especially at the expense of communities with the least access to public process even when there is not a pandemic. It is important that state and local governments continue to engage residents without contributing to the stress many are under due to the current public health and economic crises.

Governor Newsom issued [Executive Order N-25-20](#) (March 12, 2020), which grants local legislative and state bodies the authorization “to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to attend and to address the local legislative or state body.”

**We urge the local, regional and state governments to implement the below activities and practices for equitable remote public participation, to meet the legal requirements of N-25-20.** We add that these options should be available not only during a pandemic, but at all times, so that those who are not physically able to attend meetings or hearings may still participate.

### **Our recommendations are as follows:**

- Reach out to community-based organizations and other stakeholders who may be in direct communication with residents early to help make sure that residents are informed and notified through multiple channels about remote options for public meetings.
  - Send any relevant preparatory materials and other necessary documents to community-based stakeholders, so that they may potentially share them with interested residents prior to the meeting.
- Notify the public of all hearing/meeting times, topics, and detailed information regarding participation. All translated preparatory materials and documents should be made available at the time meeting notices are posted as well. Notices should be easy to find on state or local jurisdiction websites, and

disseminated *at least* 72 hours in advance. Notices must clearly show how public comments will be received.

- Give ample time for the public to submit comments prior to the meeting's start time, such as via email or a dedicated phone number. Comments should be accepted starting from the time the notices are disseminated. Written or voice message comments should be allowed up until the start of the meeting, as well as live comments throughout the meeting.
  - Do not limit opportunities to comment only to email and avoid implementing arbitrary word limits on email comments. Limiting comments only to email leaves room for them to remain unheard and ignored. Allow email comments to be read aloud on the record by staff during the live meeting, for transparency and consideration by the full board/commission.
  - Allow the public to leave voice message comments, which can be limited to 3 minutes, and played during the comment period of the meeting. Ensure that these messages, as well as the emails, can be received in multiple languages and interpreted as needed.
- During the meeting, provide multiple options for teleconferencing, with *two-way* communication options that allows either computer-users or phone-users to engage and provide public comment.
  - Each teleconferencing medium will offer benefits and limitations, ranging from professional options such as Zoom, GoToMeeting, and WebEx, as well as wide-reaching mediums for video streaming like YouTube and Facebook Live. For live-streamed meetings, the public should be allowed to comment in real time, through a combination of phone and video, chat boxes, and/or email.
  - Ensure that there is time for public comment after *each* agenda item during the meeting, and allow sufficient time for live comments to be submitted either electronically or via telephone.
- For members of the public that may not have access to the internet or a computer, or who are unable to use video applications, consistently provide an adequate telephone option—available in multiple languages—and ensure that comments can be made via phone.
- During the meeting, consider using separate teleconference lines or audio channels to meet language access needs. Interpreters should be available—for Spanish and/or other languages that are needed—for residents to understand and participate in the meeting.
- Work with community-based equity, social justice and environmental justice organizations to determine when it may or may not be appropriate to delay a



hearing or meeting. Decisions that impact disadvantaged communities (DACs) must be done with their guidance and input, and agencies should ensure that community residents are able to give meaningful input into the process. For example, agencies must continue momentum on certain decisions and activities that are critical or time-sensitive to creating equity, extending basic resources, protecting public health, and providing healthy, sustainable community infrastructure to DACs (i.e. clean water and air). However, in some circumstances, the situation may necessitate delay of a decision in order to meaningfully incorporate resident feedback. The bottom line is that local and state bodies should consult with community-based organizations and should keep equity, justice, transparency and accountability at top of mind when determining action on postponing or cancelling meetings and action items.