

DATE: June 3, 2024

MEMO TO: Gina Roberts, Chair
Finance Committee

FROM: Alex Ty Kovach
Executive Director

RECOMMENDATION: Approve a motion to (i) release certain Committee closed session minutes, (ii) retain as confidential all other Committee closed session minutes not previously released, and (iii) delete verbatim recordings of certain open sessions and closed sessions of meetings, in accordance with the Open Meetings Act (the “Act”), as provided in **Exhibit 1**, attached.

STRATEGIC DIRECTIONS SUPPORTED: Communication; Education & Outreach

FINANCIAL DATA: No impact.

BACKGROUND: The Finance Committee, in the manner required of public bodies under the Act (i) maintains written minutes of its open and closed meetings, (ii) retains verbatim recordings of closed meetings, and (iii) retains verbatim recordings of open sessions of meetings that were held pursuant to Section 7(e) of the Act (i.e., audio/visual meetings held while a gubernatorial disaster declaration covering Lake County was in effect (“Disaster-Effective Meetings”)).

Closed Session Minutes

Under the Act and the District’s Policy on Closed Meeting Minutes and Verbatim Records (the “Policy”), every six months, or as soon thereafter as practicable, the Committee meets in closed session to review its closed meeting minutes to determine if they are eligible for release to the public. In its review, the Committee, with the benefit of staff’s recommendation, determines if the minutes contain information that continues to require confidential treatment. If written minutes, or portions thereof, continue to require confidential treatment, they may be kept confidential. If the minutes no longer require confidential treatment, they will be made available for public inspection.

Closed Session Verbatim Recordings

Under the Act and the Policy, the Committee also meets in closed session every six months, or as soon thereafter as practicable, to review a list of verbatim recordings of all closed meetings for which minutes have been prepared and that occurred at least 18 months previously, to determine if the recordings should be retained, released, deleted, or destroyed. Under the Act, a verbatim recording of a closed session may be destroyed or deleted if (i) minutes for that closed session have been prepared and approved and (ii) at least 18 months have passed since the closed session.

Open Sessions of Disaster-Effective Meetings

The Act also provides that a public body that holds an open session of a Disaster-Effective Meeting must keep an audio or video verbatim record of that open session, and such record is subject to the retention provisions for closed session verbatim records (which, as stated above, allows deletion for meetings for which minutes have been prepared and that occurred at least 18 months previously). Accordingly, Exhibit 1 also identifies verbatim recordings of open sessions of Disaster-Effective Meetings that are recommended for deletion because they are at least 18 months old as of June 3, 2024, and minutes for such meetings have been prepared and approved.

Committee Review and Staff Recommendation

The Committee met in closed session on May 9, 2024 to consider the release of its closed session minutes and the retention or deletion of verbatim recordings. Exhibit 1 identifies the closed session minutes recommended to be released, and closed session verbatim recordings recommended to be deleted, and the Disaster-Effective Meeting open session verbatim recordings recommended to be deleted based on the Committee’s review.

REVIEW BY OTHERS: Committee Secretary, Board Secretary, Corporate Counsel

MOTION: Motion to (i) approve release of the Committee closed session minutes, or portions thereof, as provided in Exhibit 1, and find that such minutes, or portions thereof, no longer require confidential treatment, (ii) retain as confidential all other Committee closed session minutes, or portions thereof, not previously released, and find that the need for confidentiality still exists as to such minutes or portions, (iii) delete the verbatim recordings of Committee open sessions and closed sessions as provided in Exhibit 1, and (iv) retain the verbatim recordings of Committee closed sessions that are more than 18 months old, as provided in Exhibit 1, and find that the need for confidentiality still exists as to such recordings, all in accordance with the Open Meetings Act and the District’s Policy on Closed Meeting Minutes and Verbatim Records.

APPROVED:

Date: _____ Roll Call Vote: Ayes: _____ Nays: _____
 Voice Vote Majority Ayes; Nays: _____

EXHIBIT 1

FINANCE COMMITTEE

June 3, 2024

CLOSED SESSION MINUTES TO BE RELEASED:

<u>Meeting Date</u>	<u>Full or Partial Release</u>
August 31, 2023	Full Release

VERBATIM RECORDINGS OF CLOSED SESSIONS TO BE DELETED:

May 5, 2022
June 6, 2022
June 30, 2022
August 4, 2022

VERBATIM RECORDINGS OF CLOSED SESSIONS TO BE RETAINED (but not for public release):

August 5, 2021

VERBATIM RECORDINGS OF OPEN SESSIONS TO BE DELETED:

March 3, 2022