



HUMBOLDT COUNTY ASSOCIATION OF GOVERNMENTS
Regional Transportation Planning Agency
Humboldt County Local Transportation Authority
Service Authority for Freeway Emergencies
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AGENDA ITEM 2
HCAOG Board Meeting
October 21, 2021

DATE: October 6, 2021
TO: HCAOG Board of Directors
FROM: Beth Burks, Executive Director
SUBJECT: **AB 361 Findings to Allow Remote Meetings for HCAOG Board and Advisory Bodies**

STAFF REPORT

Contents:

- Staff's Recommended Action
- Staff Summary
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Staff's Recommended Action:

1. Introduce the item as an action item;
2. Allow staff to present the item;
3. Receive public comment;
4. Discuss item and consider making the motion:
"I move that the HCAOG Board adopt Resolution 21-24 approving required findings to allow virtual meetings to continue."

Staff Summary:

Starting in April 2020 the HCAOG Board has met virtually due to the COVID-19 pandemic. This was possible through Governor Newsom's Executive Order N-29-20, which suspended certain Brown Act requirements (Government Code Section 54953(b)(3)). The Brown Act requirement mandated that the legislative body notice teleconference locations of each member participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction.

Under Executive Order N-29-20 legislative bodies could conduct meetings through teleconferencing (commonly referred to as virtual or remote meetings) if Brown Act noticing, and accessibility requirements were met and that public members were allowed to observe and address the legislative body at the meeting. The provisions contained in the Executive Orders expired on September 30, 2021.

On September 16, 2021 Governor Newsom signed Assembly Bill 361. AB 361 authorizes a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, and when state or local health officials have imposed or recommended measures to promote social distancing, or during a declared state of emergency where the agency finds meeting in person would present imminent risk to the health or safety of attendees. This allowance is effective until January 1, 2024.

AB 361 requires a legislative body to make specified findings no later than 30 days after the first teleconferenced meeting pursuant to AB 361, and to make those findings every 30 days thereafter in order to continue to meet under these abbreviated teleconferencing procedures.

Attached Resolution 21-24 makes these required findings, and if adopted will allow continued public meetings by teleconference to help mitigate the spread of COVID-19. The resolution will also allow the HCAOG Board and advisory bodies to continue public meetings by teleconference under AB 361.

Based on the current State of Emergency, ongoing local universal masking orders, and continued social distancing recommendations, staff recommends approval of Resolution 21-24.