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Regional Transportation Planning Agency - Local Transportation Commission  
Monterey County Service Authority for Freeways and Expressways  
Monterey County Regional Development Impact Fee Joint Powers Agency  
Email: [info@tamcmonterey.org](mailto:info@tamcmonterey.org)

## **BOARD OF DIRECTORS**

*AB361 Special Meeting*

**Wednesday, December 15, 2021**

**\*\*8:30 AM\*\***

### **REMOTE CONFERENCING ONLY**

*There will be NO physical location of the meeting.*

*Please see all the special meeting instructions at the end of the agenda.*

**Join meeting online at:**

**<https://us02web.zoom.us/j/446951513?pwd=QmNUODRtdXlCSEFxlZlXVmhoY21yUT09>**

**OR**

**By teleconference at: +1 669 900 6833**

**Meeting ID: 446 951 513**

**Password: 194463**

*The agenda and all enclosures are available on the Transportation Agency website: [www.tamcmonterey.org](http://www.tamcmonterey.org), by clicking on Transportation Agency Board, meetings and agendas, click on agenda item and open it, click on report attachments listed at end of report.*

### **1. QUORUM CHECK – CALL TO ORDER**

*Transportation Agency by-laws require a quorum of a minimum of 9 voting members, including a minimum of 7 city representatives and 1 county representative.*

***If you are unable to attend, please contact your alternate. Your courtesy to the other Transportation Agency Board members to assure a quorum is appreciated.***

### **PLEDGE OF ALLEGIANCE**

### **2. PUBLIC COMMENTS**

Any member of the public may address the Board on any item not on the agenda but within the jurisdiction of the Board. Under this item, each member of the public is allowed three minutes to address concerns. Comments in items on this agenda may be given when that agenda item is discussed. Persons who wish to address the Board for public comment or on an item on the agenda are encouraged to submit comments in writing to Maria at maria@tamcmonterey.org by 5:00 pm the Monday before the meeting, and such comments will be distributed to the Board before the meeting.

3. **CONSIDER** finding, pursuant to AB 361, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; the TAMC Board of Directors has reconsidered the circumstances of the state of emergency; and, the state of emergency continues to directly impact the ability of the members to meet in person.

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***It is recommended that the TAMC Board of Directors find, pursuant to AB 361, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; the TAMC Board of Directors has reconsidered the circumstances of the state of emergency; and, the state of emergency continues to directly impact the ability of the members to meet in person.***

4. **ADJOURN**

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**BEGINNING OF CONSENT AGENDA:** Approve the staff recommendations for items listed below by majority vote with one motion. Any member may pull an item off the Consent Agenda to be moved to the end of the **CONSENT AGENDA** for discussion and action.

**END OF CONSENT AGENDA**

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**ANNOUNCEMENTS**

Next Transportation Agency for Monterey County meeting will be on  
Wednesday, January 12, 2022  
**8:30 A.M.**

Important Meeting Information

Remote Meetings: On March 12, 2020, Governor Newsom issued Executive Order N-25-20, which enhanced State and Local Governments ability to respond to COVID-19 Pandemic based on Guidance for Gatherings issued by the California Department of Public Health. The Executive Order specifically allowed local legislative bodies to hold meetings via teleconference and to make meetings accessible electronically, in order to protect public health. That order expired on September 30, 2021. Governor Newsom has now signed AB 361, and the TAMC Board of Directors approved a resolution to enact AB 361 on September 22, 2021. This legislation permits teleconferencing for Brown Act meetings during a state of emergency. Thus, TAMC meetings will convene remotely, until further notice. For remote meetings, the public is strongly encouraged to use the Zoom app for best reception. Prior to the meeting, participants should download the Zoom app at: <https://zoom.us/download>. A link to simplified instruction for the use of the Zoom app is: <https://blog.zoom.us/wordpress/2018/07/03/video-communications-best-practice-guide/>.

Remote Meeting Public Comment: Due to current circumstances, there may be limited opportunity to provide verbal comments during remote meetings. Persons who wish to address the Committee for public comment or on an item on the agenda are encouraged to submit comments in writing to [maria@tamcmonterey.org](mailto:maria@tamcmonterey.org) by 5:00pm the Monday before the meeting. Such comments will be distributed to the Committee before the meeting. Members of the public participating by Zoom are instructed to be on mute during the proceedings and to speak only when public comment is allowed, after requesting and receiving recognition from the Chair.

Agenda Packet and Documents: Any person who has a question concerning an item on this agenda may call or email the Agency office to make inquiry concerning the nature of the item described on the agenda. Complete agenda packets are on display online at the Transportation Agency for Monterey County website. Documents relating to an item on the open session that are distributed to the Committee less than 72 hours prior to the meeting shall be available for public review at the Agency website. Agency contact information is as follows:

Transportation Agency for Monterey County  
www.tamcmonterey.org  
Office is closed an all employees are working remotely until further notice  
TEL: 831-775-0903  
EMAIL: info@tamcmonterey.org

Agenda Items: The agenda will be prepared by Agency staff and will close at noon nine (9) working days before the regular meeting. Any member of the Board may request in writing an item to appear on the agenda. The request shall be made by the agenda deadline and any supporting papers must be furnished by that time or be readily available.

Alternative Agenda Format and Auxiliary Aids: If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals requesting a disability-related modification or accommodation, including auxiliary aids or services, may contact Transportation Agency staff at 831-775-0903. Auxiliary aids or services include wheelchair accessible facilities, sign language interpreters, Spanish language interpreters, and printed materials in large print, Braille or on disk. These requests may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting and should be made at least 72 hours before the meeting. All reasonable efforts will be made to accommodate the request.



## **Memorandum**

**To:** Board of Directors  
**From:** Todd Muck, Executive Director  
**Meeting Date:** December 15, 2021  
**Subject:** **AB 361 Findings**

### **RECOMMENDED ACTION:**

**CONSIDER** finding, pursuant to AB 361, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; the TAMC Board of Directors has reconsidered the circumstances of the state of emergency; and, the state of emergency continues to directly impact the ability of the members to meet in person.

### **SUMMARY:**

It is recommended that the TAMC Board of Directors find, pursuant to AB 361, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; the TAMC Board of Directors has reconsidered the circumstances of the state of emergency; and, the state of emergency continues to directly impact the ability of the members to meet in person.

### **FINANCIAL IMPACT:**

None.

### **DISCUSSION:**

On September 16, 2021, Governor Newsom signed AB 361. This legislation amends the Brown Act to allow meeting bodies subject to the Brown Act to meet via teleconference during a proclaimed state of emergency in accordance with teleconference procedures established by AB 361 rather than under the Brown Act's more narrow standard rules for participation in a meeting by teleconference. AB 361 provides that if a state or local health official recommends social distancing, the TAMC Board of Directors may meet remotely after September 30, 2021, provided that within 30 days of the first meeting after September 30, and every 30 days thereafter, the Board of Directors finds that 1) the Governor's proclaimed state of emergency is still in effect; 2) the Board of Directors has reconsidered the circumstances of the state of emergency, and 3) the state of emergency continues to directly impact the ability of the members to meet in person.

The Monterey County Health Officer has recommended social distancing measures for meetings of legislative bodies, and additionally, the TAMC Board of Directors passed a resolution also making these findings on September 22, 2021, so the Board of Directors and the Board's advisory committees have been able to meet remotely since September. In order to continue meeting, in addition to the resolution, the Board of Directors must continually make the findings outlined above every 30 days.

Accordingly, staff recommends making the appropriate findings. This action should occur within every 30 days, per AB 361, in order to keep meeting remotely; additional special meetings may be necessary for that purpose. These findings apply to the TAMC Board and all TAMC Board advisory committees.