

TAMC Ralph M. Brown Act update

Applicable February 28, 2023

Under AB 2449, legislative bodies that wish to continue teleconferencing will be subject to several new requirements. First, **a quorum must be present in a single physical location in the jurisdiction** (i.e., inside Monterey County). As long as this is so, a meeting can be split up to occur in multiple locations, so long as the agenda is posted at all in-person locations, and all those locations are accessible to the public and posted on the agenda.

Second, Board or Committee members needing to participate remotely from a non-publicly accessible location must notify the Board or Committee in advance that they qualify to do so under one of two grounds: “just cause” and “emergency circumstances.” This type of Board or Committee Member remote participation is, for TAMC, limited to no more than two TAMC Board or TAMC Committee meetings, per year. Additional restrictions may apply to other Brown Act meetings.

Voting members have the following options for meeting participation:

1. Attend the meeting in person at the posted location; or
2. If you cannot attend in person but want to participate remotely, attend from a location that is accessible to the public, post the location on the agenda in advance, post the agenda at the location no less than 72 hours in advance; or
3. If you cannot attend in person or from a location that is publicly available, but want to participate remotely, make one of two claims, which cannot be done for more than two meetings of each body per year in total, regardless of which justification you use:
 - a. “Just Cause” – you must notify the body as soon as possible, no later than the start of the meeting, due to one of these circumstances:
 - i. Caring for a child, parent, grandchild, sibling, spouse or domestic partner; or
 - ii. A contagious illness preventing in person attendance; or
 - iii. Physical or mental disability; or
 - iv. Travel while on official business for the legislative body or another state or local agency.
 - b. “Emergency Circumstances” - physical emergency or family-medical emergency preventing in-person attendance – you must explain the need to the Board in 20 words or fewer without divulging medical information. A majority of the body must approve the request, even if it is made too late to alter the agenda appropriately; or
4. **Ask your alternate to attend the meeting in your stead.**

New transparency requirements will require Committee and Board members participating remotely to have the camera on throughout the meeting and to announce anyone in the same room over the age of 18.

If the internet connection at the primary location used to establish quorum is lost during a hybrid meeting, the meeting must be stopped until internet service is restored.