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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)

**Bicycle and Pedestrian Facilities Advisory Committee**

**Wednesday, February 4, 2026**

**\*\*6:00 PM\*\***

**MEETING LOCATION**

55-B Plaza Circle, Salinas, California 93901  
Transportation Agency Conference Room

**Members of the public & non-voting members may join meeting online at:**

**<https://us02web.zoom.us/j/81221239231?pwd=amyHFG663rBUZ8QD8W4xBag3aY0ka4.1>**

**OR**

**Via teleconference at +1 669 900 6833**

**Webinar ID: 812 2123 9231**

**Passcode:191544**

**If you join the meeting by phone and would like to make a public comment on an item, please dial \*9 to raise your hand.**

**Pursuant to Government Code Section 54952.7:**

**Please find Chapter 9, also known as the Ralph M. Brown Act:**

**[https://leginfo.ca.gov/faces/codes\\_displayText.xhtml?division=2.&chapter=9.&part=1.&lawCode=GOV&title=5](https://leginfo.ca.gov/faces/codes_displayText.xhtml?division=2.&chapter=9.&part=1.&lawCode=GOV&title=5)**

*Please note: If all committee members are present in person, public participation by Zoom is for convenience only and is not required by law. If the Zoom feed is lost for any reason, the meeting may be paused while a fix is attempted, but the meeting may continue at the discretion of the Chair.*

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

**1. Quorum Check - Call to Order**

Call to order and self-introductions. Committee bylaws specify that quorum shall consist of a majority (7) of the number of voting memberships actually filled at the time (13); the existence of any vacancies shall not be counted for purposes of establishing a quorum.

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

**2. PUBLIC COMMENTS**

Any member of the public may address the Committee on any item not on the agenda but within the jurisdiction of the Committee. Under this item, each member of the public is allowed two 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 Committee for public comment or on an item on the agenda are encouraged to submit comments in writing to Maria at [maria@tamcmonterey.org](mailto:maria@tamcmonterey.org) by 5:00 pm the Monday before the meeting, and such comments will be distributed to the Board before the meeting.

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.

#### **COMENTARIOS DEL PÚBLICO:**

Cualquier miembro del público podrá dirigirse a la Comité sobre cualquier punto no incluido en la agenda, pero que sea de su competencia. En este punto, cada miembro del público tendrá dos minutos para plantear sus inquietudes. Se podrán formular comentarios sobre los puntos de este agenda cuando se discuta dicho punto. Se anima a quienes deseen dirigirse a la Comité para recibir comentarios del público o sobre un punto de la agenda que envíen sus comentarios por escrito a Maria en [maria@tamcmonterey.org](mailto:maria@tamcmonterey.org) antes de las 5:00 pm del lunes anterior a la reunión. Dichos comentarios se distribuirán a la Comité antes de la reunión.

Formato alternativo de la agenda y recursos auxiliares: Si se solicita, la agenda se pondrá a disposición de las personas con discapacidad en formatos alternativos apropiados, según lo exige la Sección 202 de la Ley de Estadounidenses con Discapacidades de 1990 (42 USC Sec. 12132) y las normas y reglamentos federales adoptados en su aplicación. Las personas que soliciten una modificación o adaptación por discapacidad, incluyendo ayudas o servicios auxiliares, pueden comunicarse con el personal de la Agencia de Transporte al 831-775-0903. Las ayudas o servicios auxiliares incluyen instalaciones accesibles para sillas de ruedas, intérpretes de lengua de señas, intérpretes de español y materiales impresos en letra grande, braille o en disco. Estas solicitudes pueden ser presentadas por una persona con discapacidad que requiera una modificación o adaptación para participar en la reunión pública y deben hacerse al menos 72 horas antes de la reunión. Se hará todo lo posible para atender la solicitud.

### **3. 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.

- 3.1. APPROVE** the draft Bicycle and Pedestrian Facilities Advisory Committee Minutes for January 14, 2026.

**- Maria Montiel**

***The draft minutes of the January 14, 2026, Bicycle and Pedestrian Facilities Advisory Committee meeting are attached for review.***

4. **RECEIVE** update on adopted state laws as of January 1, 2026.

- Aaron Hernandez

***This report summarizes new state transportation laws for 2026.***

5. **RECEIVE** update on changes to Brown Act as per Senate Bill (SB) 707, and **ADVISE** staff whether the Committee wishes to ask the Board to adopt a resolution allowing it to use the new videoconferencing provisions.

- Aaron Hernandez

***Senate Bill (SB) 707, signed into law on October 3, 2025, made significant changes to the Ralph M. Brown Act, which governs open meetings for local government agencies in California.***

6. **ANNOUNCEMENTS and/or COMMENTS**

7. **ADJOURN**

#### **ANNOUNCEMENTS**

Next Committee meeting will be held at  
**Wednesday, March 4, 2026, at 6:00 P.M.**  
1 Pendergrass Way, Sand City, California 93955  
Sand City Council Chambers

A quorum of voting members is required to be present to hold this meeting.

There will be a zoom link for hybrid participation by members of the public.

If you have any items for the next agenda, please submit them to:  
Aaron Hernandez, Bicycle and Pedestrian Facilities Advisory Committee Coordinator  
Aaron@tamcmonterey.org

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 inspection at the office of the Transportation Agency for Monterey County, 55-B Plaza Circle, Salinas, CA. Documents distributed to the Committee at the meeting by staff will be available at the meeting; documents distributed to the Committee by members of the public shall be made available after the meeting.

Transportation Agency for Monterey County  
[www.tamcmonterey.org](http://www.tamcmonterey.org)  
55B Plaza Circle, Salinas, CA 93901  
TEL: 831-775-0903  
EMAIL: [info@tamcmonterey.org](mailto:info@tamcmonterey.org)

The Committee Agenda will be prepared by Agency staff and will close at noon five (5) working days before the regular meeting. Any member 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. 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 the Transportation Agency at 831-775-0903. Auxiliary aids or services include wheelchair accessible facilities, sign language interpreters, Spanish Language interpreters and printed materials, 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:** Bicycle and Pedestrian Facilities Advisory Committee  
**From:** Maria Montiel, Administrative Assistant  
**Meeting Date:** February 4, 2026  
**Subject:** **Draft BPC Minutes**

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**RECOMMENDED ACTION:**

**APPROVE** the draft Bicycle and Pedestrian Facilities Advisory Committee Minutes for January 14, 2026.

**SUMMARY:**

The draft minutes of the January 14, 2026, Bicycle and Pedestrian Facilities Advisory Committee meeting are attached for review.

**FINANCIAL IMPACT:**

None.

**DISCUSSION:****ATTACHMENTS:**

1. BPC Draft January 14 2025 MINUTES

**WEB ATTACHMENTS:**

**TRANSPORTATION AGENCY FOR MONTEREY COUNTY (TAMC)**  
**Bicycle and Pedestrian Facilities Advisory Committee**  
**Draft Minutes of January 14, 2026**  
Transportation Agency for Monterey County  
55-B Plaza Circle, Salinas CA 93901

<b>Voting Members</b>	<b>JAN 25</b>	<b>FEB 25</b>	<b>MAR 25</b>	<b>APR 25</b>	<b>MAY 25</b>	<b>JUN 25</b>	<b>AUG 25</b>	<b>SEP 25</b>	<b>OCT 25</b>	<b>NOV 25</b>	<b>JAN 26</b>
Eric Petersen, District 1	P	P	P	P	P(VC)	C	P	C	P	E	P
Victor Tafoya– District 2 <i>(David Tavaréz)</i>	A	P	P	E	P	A	P	A	P	P	P
Mike Novo – District 3, <b>Chair</b> <i>(Nathalie Gomez)</i>	P	P	P	P	P	N	P	N	P	P	P
Jeff Wriedt, District 4 <i>(Frank Henderson)</i>	P	P	P	P	P	C	A	C	P	P	P
District 5 – vacant <i>(vacant)</i>	P	P	-	-	-	E	-	E	-	-	-
D. L. Johnson, Carmel-By-The Sea, <b>Vice Chair</b>	P	P	P	E	P	L	P	L	P	P	E
Del Rey Oaks – vacant	-	-	-	-	-	L	-	L	-	-	-
Gonzales – vacant	-	-	-	-	-	E	-	E	-	-	-
Ernest Gallardo, Greenfield	P	E	P	P	P	D	P	D	P	P	P
King City – vacant	-	-	-	-	-		-		-	-	-
Liesbeth Visscher, Marina	E	P	P	P	P		A		P	P	P
Gino Garcia, Monterey <i>(Abby Ostovar)</i>	A	E	P	P	E		A		E	A	A
Tim David, Pacific Grove <i>(Lester Brown)</i>	E	E	A	A	-		P		P	P	P
Chris Flescher, Salinas <i>(Brian McMinn)</i>	P	P	P	P	P		P		P	P	P
Elizabeth (Libby) Sofer, Sand City	A	P	P	P	E		A		P	A	A
Ralph Wege, Seaside <i>(Jan Valencia)</i>	A	P	P	P	E		P		P	P	P
Ryan Hunzie, Soledad	-	-	-	-	-		-		P	A	P
Natalie Florez, Monterey Salinas Transit <i>(Michelle Overmeyer)</i>	E	P	P*	P	P		P		P	P	P
Mark Chaffey, Velo Club of Monterey <i>(Alex Capelli)</i>	P	P	P(A)	P	P		P		P	P	P
N. County Recreation & Park District – vacant	-	-	-	-	-		-		-	-	-
Salinas Public Works – vacant	-	-	-	-	-		-		-	-	-
Monterey County Public Works – vacant	-	-	-	-	-		-		-	-	-
Caltrans - District 5 – vacant	-	-	-	-	-		-		-	-	-
AMBAG <i>(Will Condon)</i>	A	A	A	A	A		A		P	A	A
CSUMB – vacant	-	-	-	-	-		-		-	-	-

E – Excused  
P(A) – Alternate  
A – Absent  
AB 2449 Emergency =EM/ Public Health=PH  
VC – Video Conference  
TC – Teleconference  
\* – first meeting

TRANSPORTATION AGENCY STAFF	JAN 25	FEB 25	MAR 25	APR 25	MAY 25	JUN 25	AUG 25	SEP 25	OCT 25	NOV 25	JAN 26
Ryan Bigelow, Contracts & Grants	-	-	-	-	-	C	-	C	-	P(VC)	A
Doug Bipse, Principal Engineer	P	P	A	A	A	A	P	A	A	A	A
Aaron Hernandez, Transp. Planner	A	A	P(VC)	A	P	N	A	N	A	A	P(VC)
Maria Montiel, Administrative Assistant	P	P	P	P	P	C	P	C	P	P	P
Todd Muck, Executive Director	A	A	A	A	A	E	A	E	A	P	P
Janneke Strause, Senior Transp. Planner	P(VC)	P(VC)	A	A	A	L	A	L	P	P(VC)	E
Christina Watson, Director of Planning	P(VC)	P	P	P	A	E	A	E	P	P	P(VC)
Laurie Williamson, Senior Engineer	A	A	A	A	A	D	A	D	A	P	P(VC)

OTHERS PRESENT:			
Jim Allen	Public	Nathalie Gomez	District 3 Alternate
Hans Hofman Jr	Salinas Resident	Robin Lee	Public
Brian McMinn	Salinas Alternate	Maribel Ramos Peredia	Monterey County
Adriana Robles	City of Salinas		

1. Chair Novo called the meeting to order at 6:00 p.m. A quorum was established, and Maria Montiel took roll call.

2. **PUBLIC COMMENTS**

None.

3. **BEGINNING OF CONSENT AGENDA**

**M/S/C** Tafoya/Wriedt /unanimous

3.1 Approved minutes of the Bicycle and Pedestrian Facilities Advisory Committee meeting of November 5, 2025.

**END OF CONSENT AGENDA**

#### **4. HARDEN SAFE ROUTES TO SCHOOL PROJECT**

The Committee received an update on the Harden Parkway and Safe Routes to School Project and provided feedback to staff.

Adriana Robles, City of Salinas, reported that the Harden Parkway Path and Safe Routes to School project encompasses environmental, design, and construction phases to transform Harden Parkway into a safer, more connected corridor for pedestrians and bicyclists.

The Committee had the following comments and input on the Harden Parkway and Safe Routes to School Project:

- Consider combining pedestrians and bicycles
- Consider an “angle curb” instead of a sharp curb
- Consider purchasing a small bike lane sweeper
- Consider taking out the palm trees on McKinnon
- Consider having enforcement near North Salinas High School and Harden Middle School
- Consider placing signage with no parking anytime or towing or fines will be given
- Consider street lighting for pedestrians and bicyclists in the roundabout
- Consider discussing with City of Monterey staff Andrea Renny regarding public outreach and storm drainage on the center bike lane on Freemont
- Consider replacing plants and trees to avoid blind spots
- Continue to work with Monterey-Salinas Transit

#### **5. CHUALAR SIDEWALK PROJECT**

The Committee received a presentation on the County of Monterey's Chualar Sidewalk Project and provided feedback to County staff.

Maribel Ramos-Peredia, Project Manager, reported that the Chualar Sidewalk Project will improve pedestrian and bicycle safety by constructing Americans with Disabilities Act (ADA) compliant sidewalks, upgrading crossings, and enhancing bike lane connectivity.

The Committee had the following comments and input on the Chualar Sidewalk Project:

- Consider combining the pedestrians and bicycles
- Consider increasing width of concrete sidewalks
- Consider bicycle parking

**6. ANNOUNCEMENTS AND/OR COMMENTS**

Ariadne Sambrano, Transportation Planner, announced that her last day with the Transportation Agency will be Friday, January 16 and thanked everyone.

Committee Member Chaffey asked for an update on the FORTAG 28-mile project.

Committee Member Flores announced that Monterey-Salinas Transit will upgrade and replace the mounted bikes rack on all the buses. She noted that they will fit wider bicycles and electric bikes.

**7. ADJOURNMENT**

Chair Novo adjourned the meeting at 7:08 p.m.

**Memorandum**

**To:** Bicycle and Pedestrian Facilities Advisory Committee  
**From:** Aaron Hernandez, Transportation Planner  
**Meeting Date:** February 4, 2026  
**Subject:** **New Laws Enacted in 2026**

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**RECOMMENDED ACTION:**

**RECEIVE** update on adopted state laws as of January 1, 2026.

**SUMMARY:**

This report summarizes new state transportation laws for 2026.

**FINANCIAL IMPACT:**

No financial impact.

**DISCUSSION:**

**Attachment 1** is a summary of transportation laws enacted as of January 1, 2026. This report covers transportation laws that are of interest to the Bicycle and Pedestrian Facilities Advisory Committee. Staff will provide a verbal update at the meeting.

**ATTACHMENTS:**

1. 2026 Bills Enacted

**WEB ATTACHMENTS:**

## New California Transportation Laws for 2026

### **Pedestrian Safety and Speed Reduction:**

#### **AB 382 (Berman) – Pedestrian safety: school zones: speed limits:**

<https://legiscan.com/CA/text/AB382/2025>

AB 382 allows local authority, by ordinance or resolution, to reduce the speed limit in a school zone when children are present, from 25 miles per hour (mph) to 20 mph. Local governments have this authority to reduce school zones speed limits before January 1, 2031. Beginning January 1, 2031, 20 mph becomes the state requirement. This law is an important safety measure to slow speeds where children walk and bike to school.

#### **AB 1014 (Rogers) – Traffic safety: speed limits:**

<https://legiscan.com/CA/text/AB1014/id/3134715>

AB 1014 expands the ability to lower speed limits by giving Caltrans similar flexibility to what local governments have in existing law. Local authorities can lower speed limits if the current limit is deemed too high for safety or specific conditions. For Caltrans, this bill allows the agency to reduce speed limits by 5 mph below the standard 85<sup>th</sup>-percentile-based value in specific contexts, such as designated “safety corridors,” areas with high pedestrian and bicycle activity, business activity districts on non-freeway highways, and segments where a prior engineering and traffic survey supported a lower limit and roadway conditions haven’t materially changed. As for enforcement, the bill mandates that any peace officer, instead of just the local authority, must issue only warning citations for the first 30 days of a new lower speed limit.

#### **SB 671 (Cervantes) – Pedestrian crossing signals:**

<https://legiscan.com/CA/text/SB671/2025>

SB 671 requires the installation and maintenance of traffic-actuated signals with touch-free Accessible Pedestrian Signals (APS) on new state-owned signalized pedestrian crossings and requires Caltrans to consider using touch free APS when performing maintenance activities. SB 671 directs Caltrans to inventory existing signals to support future upgrades and requires the agency to notify local agencies operating state-owned traffic-actuated signals about the opportunity to implement Lead Pedestrian intervals on the signals. This law helps improve independence and safety for pedestrians who are blind or have low vision.

## **Electric Bicycles:**

**AB 544 (Davies) – Electric bicycles: required equipment:**

<https://legiscan.com/CA/text/AB544/2025>

AB 544 updates California’s Vehicle Code to address safety concerns involving electric bicycles (e-bikes), especially minors. This law requires all e-bikes that operate on a roadway, sidewalk, or bikeway to be equipped with a rear red reflect or red light visible from at least 500 feet. In addition, a person under 18 years of age who is cited for operating an e-bike while not wearing a proper helmet may avoid resulting in court notification and fines if the person completes a California Highway Patrol-approved e-bike safety course and show proof of proper helmet ownership. This law focused on education and visibility rather than punishment, aiming to reduce e-bike crashes statewide.

**AB 875 (Murasutchi) – Vehicle removal:**

<https://legiscan.com/CA/text/AB875/id/3131892>

AB 875 grant law enforcement authority to impound certain noncompliant electric vehicles. Officers may remove electric vehicles with fewer than four wheels that exceed legal speed thresholds and do not qualify as e-bikes, as well as Class 3 e-bikes operated by riders under 16 years old or without required helmets. This law also establishes release procedures, including minimum holding period and allowable administrative fees, and permits agencies to require safety training before releasing an impounded Class 3 e-bike. This law is designed to curb unsafe modifications and unlawful operation of high-speed electric mobility devices.

## **Active Transportation in Environmental Law:**

**SB 71 (Wiener) – California Environmental Quality Act: exemptions: transit projects:**

<https://legiscan.com/CA/bill/SB71/2025>

SB 71 makes major changes to the California Environmental Quality Act (CEQA) by expanding and extending exemptions for transit and active transportation projects. This law exempts active transportation plans, restriping on streets and highways, bicycle parking, signage, storage, transit projects and transit planning. These exemptions are extended into 2040 and includes the exemption for agencies operating Tier 4 locomotives or cleaner provided that the project is not located in an air basin designated as a serious, severe, or extreme nonattainment area for particulate matter and ozone. This law is intended to accelerate the delivery of transit, clean transportation, and climate-friendly infrastructure.

**Memorandum**

**To:** Bicycle and Pedestrian Facilities Advisory Committee  
**From:** Aaron Hernandez, Transportation Planner  
**Meeting Date:** February 4, 2026  
**Subject:** **Brown Act Update**

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**RECOMMENDED ACTION:**

**RECEIVE** update on changes to Brown Act as per Senate Bill (SB) 707, and **ADVISE** staff whether the Committee wishes to ask the Board to adopt a resolution allowing it to use the new videoconferencing provisions.

**SUMMARY:**

Senate Bill (SB) 707, signed into law on October 3, 2025, made significant changes to the Ralph M. Brown Act, which governs open meetings for local government agencies in California.

**FINANCIAL IMPACT:**

No financial impact.

**DISCUSSION:**

**Attached** is a memo describing the impacts of the Brown Act revisions in SB 707 on TAMC and its Committees. Please note that this memo is specific to TAMC, and if you sit on another body, you should refer to your legal counsel. TAMC staff will provide a verbal presentation at the meeting.

Key new provisions include:

- One aspect of the law that took immediate effect, and TAMC has implemented, is to provide a link to the Brown Act on all agendas.
- New video and teleconferencing provisions took effect on January 1, 2026, changing how the agendas and minutes for the TAMC Board and its Committees are prepared, and expanding the options for Board and Committee members to use videoconferencing.
- The Board must adopt a resolution to enable the Board and its Committees to use these provisions.

If the Bicycle and Pedestrian Advisory Committee, an "Eligible Subsidiary Body" of TAMC, wishes to change the way it holds its meetings and use the provisions of the amended Brown Act for videoconferencing, the Board must adopt a resolution to that effect.

**ATTACHMENTS:**

1. SB 707 Memo

**WEB ATTACHMENTS:**

## **Brown Act Update**

### **How SB 707 Impacts the Transportation Agency for Monterey County**

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Senate Bill (SB) 707, signed into law on October 3, 2025, makes significant changes to the Ralph M. Brown Act, which governs open meetings for local government agencies in California. SB 707 can generally be broken down into three parts:

1. The “Eligible Legislative Body” requirements, which do not apply to TAMC.
2. The new teleconferencing rules under Section 54953.8 (there are now nine teleconferencing options, but not all apply to TAMC).
3. The remaining changes to the Brown Act.

One aspect of the law took immediate effect, and TAMC is now providing a link to the Brown Act on all agendas.

#### **Teleconferencing Rules under Section 54953.8**

As amended by SB 707, the Brown Act has new sections relating to teleconferencing, Government Code sections 54953.8.1 through 54953.8.7. All these requirements are effective January 1, 2026. Below is a section-by-section description of the key changes:

#### **Section 54953.8.2 – State of Emergency (AB 361)**

The teleconferencing requirements under this Section reflect COVID-19 pandemic era Assembly Bill (AB) 361, except with one new twist, that local agencies may now declare local emergencies. State-of-Emergency teleconferencing requires a body to find that an emergency exists that creates a risk or danger if meeting in person. This finding must be revisited at least every 45 days.

#### **Section 54953.8.3 – Just Cause (AB 2449)**

SB 707 maintains the “Just Cause” reason for using teleconferencing to attend meetings as established under AB 2449. (SB 707 omitted the very similar “Emergency Circumstances” teleconferencing rules.) The rules for “Just Cause” require:

- A) A quorum of the body must attend from one physical location.

- B) The Member requesting the “Just Cause” exemption must report the general need for teleconferencing by the start of the meeting, citing one of seven definitions of Just Cause:
- 1) Childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely.
  - 2) A contagious illness that prevents a member from attending in person.
  - 3) A need related to a physical or mental condition.
  - 4) Travel while on official business of the legislative body or another state or local agency.
  - 5) An immune-compromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner of the member that requires the member to participate remotely.
  - 6) A physical or family medical emergency that prevents a member from attending in person.
  - 7) Military service obligations that result in a member being unable to attend in person because they are serving under official written orders for active duty, drill, annual training, or any other duty required as a member of the California National Guard or a United States Military Reserve organization that requires the member to be at least 50 miles outside the boundaries of the local agency.
- C) The Member must use both audio and visual technology during the meeting.
- D) Limited uses per calendar year – for TAMC, Members are limited to using this clause no more than twice per year.
- E) TAMC must note the usage of Just Cause in the meeting minutes, citing which definition of Just Cause the Member claimed. For example, the minutes could cite “JC4”.

### **Section 54953.8.6 – Eligible Subsidiary Bodies**

Eligible Subsidiary Body (“ESB”) teleconferencing is the headliner of SB 707. Generally, the ESB has been billed as a way for committees to meet remotely, but the application of this option is more complex than what may have been initially assessed. This section expires on January 1, 2030.

An ESB is defined as a Brown Act Legislative Body which serves exclusively in an advisory capacity, lacks authority to take final action, and lacks primary subject matter jurisdiction on elections, budgets, police oversight, privacy, public library material access, or taxes or related spending proposals. Two of TAMC’s Committees, the Technical Advisory Committee (TAC) and the Bicycle and Pedestrian Facilities Advisory Committee (BPC), are ESBs. It is not clear whether the Executive Committee, the Rail Policy Committee (RPC), and/or Measure X Citizens Oversight Committee, known as the eXcellent Transportation Oversight Committee (XTOC), qualify as ESBs, pending legal review.

ESB teleconferencing entails a two-entity approval process. First, the Parent Legislative Body (i.e., the TAMC Board of Directors) must approve the ESB using teleconferencing every six months. Second, after the Parent Legislative Body approves the use, but before the ESB can use teleconferencing, the ESB must approve teleconferencing. TAMC staff will prepare agenda items for all relevant meetings to that effect.

The requirements are generally:

- The Committee must designate one physical location where the public can attend, and
- Teleconferencing Members should appear using audio and visual technology during the meeting. If the Committee Member turns off their camera, they must announce the reason (e.g., internet connectivity issues).

There are two additional elements of this section of import. First, elected officials who sit on a Committee by virtue of their elected office cannot teleconference under this Code section (unless they can claim “Just Cause”). Second, a Committee may request to present recommendations to the Board, which then must appear on the regular agenda of the next Board meeting for discussion, with action on the issue on the following Board meeting agenda.

#### **Section 54953.8.7 – Multijurisdictional Body**

A “Multijurisdictional Body” is defined as either a legislative body which includes representatives from more than one county, city, city/county, or special district, or a legislative body formed as a Joint Powers Entity. This definition applies to the TAMC Board and the Coast Rail Coordinating Council, among others. The rules for “Multijurisdictional Body” require:

- The body must adopt a resolution in open session to allow teleconferencing.
- At least a quorum of the members of the eligible multijurisdictional body shall participate from one or more locations within the jurisdiction open to the public.
- Compensated Members cannot use teleconference (“compensation” excludes reimbursement of expenses).
- Teleconferencing Members must be named in agenda.
- Teleconferencing Members must use audio and visual technology.
- Teleconferencing location is more than 20 miles away from in-person locations.
- Limited to using twice per year if the body meets once per month or less.

### **Section 54953.8 – General Requirements**

For each of the above teleconference rules, the legislative body must comply with the following rules:

- Use two-way video or teleconference technology.
- Place the link on the agenda.
- No action if there is an internet disruption.
- Allow public comment.
- Allow the public time to unmute themselves and raise hands during public comment.
- In the minutes, include the name of any teleconferencing Member and the code section they used to appear remotely.
- Implement a procedure for receiving and resolving reasonable accommodation requests and adhere to civil rights and non-discrimination laws.
- Announce anyone over 18 and relationship at remote location.

### **Other Brown Act Changes**

Below is a quick summary of some other Brown Act changes, though three items deserve some additional comments. First, the Traditional Brown Act Teleconferencing Rules are unchanged. Second, there is a new teleconferencing statute for use with the Americans with Disabilities Act, and this statute allows teleconferencing as a reasonable accommodation – the only requirements are that the member use audio and visual technology if possible (very loose requirement) and that the teleconferencing member report if anyone over the age of 18 is appearing at the location and their relationship. Finally, there is a complex statute which allows a Brown Act body not to take public comment, but use of this statute is not advisable. Below are other changes to the Brown Act:

- TAMC is required to give members a copy of Brown Act.
- Social Media is only considered a meeting if members interact with each other.
- Emergency situations notice requirements include an email option.
- Special meetings notice and waivers include a telephone option.
- Reporting out for department head closed sessions.
- No special meetings for salary extended to legislative body.
- “Zoom-bombing” called out as disruptive.