

To: Board of Directors

Date: April 18, 2022

From: Bill Churchill, General Manager

Reviewed by:

SUBJECT: Options for Holding Future Board & Committee Meetings

A number of Directors have asked for the opportunity to begin having discussions on how the Authority should move forward with Board and Committee meetings. As COVID-19 cases have dropped off in Contra Costa County it is appropriate to consider how much longer remote meetings should be held and at what time in person or hybrid meetings should begin. Staff conducted an informal survey of other Transit operators to see if there was a consensus on how other Boards are conducting business. Unfortunately, there is not a consensus with a wide range of different methodologies currently being deployed. Virtual meetings are still the predominant method used for conducting Board and Committee meetings among Bay Area transit Authorities.

The following options are provided as a framework to generate discussion among Board members and ultimately for the Board to reach a consensus on how to move forward with future meetings.

1. **In Person Meetings:** County Connection may return to traditional in person meetings under the regular Brown Act rules. County Connection would then need to manage its meetings in the same manner as it did pre-pandemic. This would follow the regular Brown Act access, notice, and agenda requirements, and also require that all Board members meet in person. The general public would be afforded the opportunity to provide public comment in person at the meeting. There would be no obligation for County Connection to provide a teleconference option if it returns to in person meetings.
2. **Hybrid Options:** A hybrid meeting would be some combination of an in-person meeting and a remote meeting.
 - a. One type of hybrid meeting is the “broadcast for convenience” option. Under this scenario, the Board, staff, and members of the public would meet in person under the traditional Brown Act rules while simultaneously broadcasting the Board meeting to the public for convenience. The public can stream the Board meeting but cannot participate or offer comments. Because the public cannot offer comment, the Board meeting must proceed as a regular Brown Act meeting where County Connection would only broadcast the meeting for the convenience of the general public.
 - b. Another hybrid option could be to utilize in person meetings for Board meetings and AB 361 remote meetings for Committee meetings. AB 361 does not distinguish between Board or

Committee meetings. However, there is enough flexibility in AB 361's language to allow Board meetings to be in person and Committee meetings to be conducted remotely.

- c. A final hybrid option would allow a combination of Board members, staff and public attendees be in person while simultaneously broadcasting and in including remote access for Board members, staff, and attendees. This is by far the most complicated approach but one currently being deployed by other agencies such as the Metropolitan Transportation Commission (MTC). Staff has purchased, installed, and tested the required equipment to make this option work.
3. **Remote:** The Authority may continue to meet remotely for Board and Committee meetings pursuant to AB 361. Under AB 361, agencies are not required to make teleconference locations accessible to the public or have a quorum located within the jurisdiction when the agency holds a teleconference meeting during a state of emergency proclaimed by the Governor, and either
- a. State or local officials have imposed or recommended measures to promote social distancing;
or
 - b. The legislative body finds that meeting in person would present imminent risks to health or safety of attendees.