

Association of Bay Area Governments

Executive Board

February 16, 2023

Agenda Item 7.a.

Return to In-Person Meetings/Brown Act/AB 2449

Subject:

Report on Return to In-Person Meetings/Brown Act/AB 2449

Background:

The Governor's Covid Emergency Orders are set to expire at the end of this month. With that expiration, the provision for remote meetings under AB 361 will no longer be available. Remote participation is still possible, however, under both the pre-existing Brown Act teleconferencing mechanism as well as the new procedures made available by AB 2449. Attached is a memorandum describing the state of the law on these issues as well as proposed procedures for remote participation.

As noted in the memorandum, it is at the Executive Board's discretion to set expectations for how ABAG and its related entities' meetings should proceed provided that direction is not in conflict with the American with Disabilities Act. Staff have prepared draft procedures that provide the maximum flexibility for teleconferencing/remote participation in keeping with ABAG's pre-pandemic operating procedures. Staff proposes that meetings be convened following these procedures starting in March, and that the procedures be considered for adoption in a subsequent month, as drafted or as revised based on input by Board members and direction by ABAG Board leadership.

Issues:

None

Recommended Action:

Information. Review legal memorandum and attached draft procedures for remote participation in Brown Act meetings for ABAG member representatives.

Attachments:

- A. Memorandum Regarding Remote Participation for Brown Act Meetings
- B. Draft Procedures for Remote Participation for ABAG member representatives

Reviewed:



Alix Bockelman