

# Association of Bay Area Governments

## Executive Board

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March 19, 2026

Agenda Item 6.c.

Resolution Authorizing the Use of Teleconference Meetings by the MTC ABAG Community Advisory Council and Making Findings Relating Thereto

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### Subject:

Adoption of ABAG Resolution No. 3-2026 Authorizing the use of teleconference meetings by the MTC ABAG Community Advisory Council and making findings relating thereto

### Background:

The Ralph M. Brown Act (Government Code Section 54950, *et seq.*) is California's open meetings law, generally requiring that all legislative bodies conduct all business in open and public meetings. While the Brown Act originally contemplated primarily in-person meetings, the COVID-19 pandemic has prompted several amendments to the Brown Act to allow more bodies to meet remotely via teleconference to promote flexibility and greater access for body members and the public who are unable to attend in person. The most recent of these amendments went into effect on January 1, 2026.

Under the newly enacted Government Code Section 54953.8.6, "subsidiary bodies" – defined as advisory bodies that do not make final decisions – may be authorized by their creating bodies to meet via teleconference. Government Code Section 54953.8.6 requires the creating body to review the subsidiary body's circumstances and find that authorizing teleconference meetings would benefit the public and the body members. The statute also required the body to still designate at least one location within the jurisdiction of the subsidiary body that serves as the location where body members and members of the public can still attend in person if they choose to do so. Authorizing teleconference meetings under this statute differs from other methods of teleconferencing because it allows all body members to participate remotely from any location for all meetings without requiring special notice or approval.

The Council meets the definition of "subsidiary body," and staff believes that authorizing the Council to participate remotely via teleconference would enhance both public and Council member participation and access by allowing more individuals to access the meeting online. The Council comprises 27 members from all nine Bay Area counties, many of whom have day jobs, family or other responsibilities, and other life circumstances that would make it difficult for all members to participate in person at the Metro Center every meeting. Allowing teleconferencing for all meetings would greatly reduce the burden of the Council to ensure an in-person quorum at one location and allow all members to participate as they are able. Because the statute requires an in-person location to still be available, members of the public would still have the option to attend in person or via teleconference at their discretion.

Staff recommends that the Executive Board adopt the attached resolution making the appropriate findings and authorizing the use of teleconference meetings by the Council. The findings and authorization of the resolution can be renewed by the Executive Board by simple

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majority vote, and the Executive Board need not amend or replace the resolution unless specific circumstances have changed.

### Issues:

None.

### Recommended Action:

The ABAG Executive Board is requested to adopt ABAG Resolution No. 3-2026, authorizing the MTC ABAG Community Advisory Council to use teleconference meetings and making findings relating thereto.

### Attachments:

A. Resolution 3-2026.

### Reviewed:



Andrew Fremier