

TRANSPAC
Transportation Partnership and Cooperation
Meeting Notice and Agenda

THURSDAY, AUGUST 31, 2023

SPECIAL MEETING
8:45 A.M. to 9:00 A.M.

COVID-19 SPECIAL NOTICE – PUBLIC MEETING GUIDELINES
FOR PARTICIPATING VIA PHONE/VIDEO CONFERENCE

To protect the health and safety of staff, officials and the general public and pursuant to the Ralph M. Brown Act provisions under Assembly Bill 361, meetings of the TRANSPAC Board and TAC will be held utilizing video and teleconference as the State and County continue to recommend measures to promote social distancing. Options for observing the meeting and participating in public comment are provided below:

Video Conference Access: Please click the link at the noticed meeting time
<https://us02web.zoom.us/j/89377041005?pwd=aFZ3SUszSEViRW0zcG8yazVJZkZtUT09>
Meeting ID: 893 7704 1005 and Password: 578541.

Phone Access: To observe the meeting by phone, please call at the noticed meeting time 1 (669) 900 6883, then enter the Meeting ID: 893 7704 1005 and Password: 578541.

Public Comment: Public Comment may be provided by submitting written comments to tiffany@graybowenscott.com by 3 p.m. on the day before the meeting, which will be read during Public Comment or on the related item when Public Comment is called and entered into the record. To comment by video conference, click the “Raise Your Hand” button to request to speak when the Public Comment period is opened on an Agenda item and then wait to be called on by the Chair. After the allotted time, you will then be requested to mute your microphone. To comment by phone, indicate the “Raise Your Hand” icon by pressing “*9” to request to speak when the public comment is opened on an Agenda item and then wait to be called on by the Chair. Press “*6” to unmute/mute. After the allotted time, you will then be requested to mute your microphone. Please begin by stating your name and indicate whether you are speaking for yourself or an organization.

Americans with Disabilities Act (ADA): This agenda is available upon request in alternative formats to persons with a disability, as required by the ADA of 1990 (42 U.S.C. §12132) and the Ralph M. Brown Act (Cal. Govt. Code §54954.2). Persons requesting a disability related modification or accommodation should contact TRANSPAC via email or phone at

tiffany@graybowenscott.com or (925) 937-0980 during regular business hours at least 48 hours prior to the time of the meeting.

1. CONVENE REGULAR MEETING / PLEDGE OF ALLEGIANCE /SELF-INTRODUCTIONS

2. PUBLIC COMMENT. At this time, the public is welcome to address TRANSPAC on any item not on this agenda. Please refer to the “Public Comment” section above for participation guidance.

ACTION ITEMS

3. CONSIDER MEETINGS OF THE TRANSPAC BOARD AND SUBCOMMITTEES PURSUANT TO THE PROVISIONS OF AB361. The Governor issued an Executive Order that rescinded previously granted Brown Act exemptions for public meetings, effective September 30, 2021. On September 15, 2021, the Governor signed into law AB 361 which essentially continued the Executive Orders that eased certain Brown Act provisions. On October 14, 2021 the TRANSPAC Board adopted Resolution 21-01 proclaiming a local emergency, ratifying the proclamation of a State of Emergency, and authorizing remote teleconference meetings of the legislative bodies of TRANSPAC pursuant to the Brown Act provisions under AB 361. This resolution also authorized the 30-day renewal to be approved at subsequent meetings by minute order. At the August 3, 2023, special meeting, the TRANSPAC Board authorized the 30-day renewal through September 2, 2023. This action would re-authorize the AB 361 exceptions through September 30, 2023.

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ACTION RECOMMENDATION: Reauthorize the continuation of remote meetings of the legislative bodies of TRANSPAC pursuant to the Brown Act provisions under AB361 through September 30, 2023. By way of this action, TRANSPAC will conduct in-person meetings with a hybrid component for public participation for regular TRANSPAC Board meetings. Other TRANSPAC bodies including the TRANSPAC TAC, special and/or ad-hoc committees will continue meeting virtually.

4. BOARDMEMBER COMMENTS

5. ADJOURN/NEXT MEETING

Next regular meeting is scheduled for September 14, 2023 at 9:00 A.M. at Pleasant Hill City Hall in the Large Community Room, 100 Gregory Lane, Pleasant Hill.

TRANSPAC Board Special Meeting **STAFF REPORT**

Meeting Date: August 31, 2023

Subject:	CONSIDER MEETINGS OF THE TRANSPAC BOARD AND SUBCOMMITTEES PURSUANT TO THE PROVISIONS OF AB361
Summary of Issues	<p>Beginning in March of 2020, the Governor issued a series of Executive Orders relaxing certain provisions of the Brown Act in response to the COVID-19 pandemic. Those orders allowed local agencies such as TRANSPAC to conduct their public meetings remotely. On June 11, 2021, the Governor issued an Executive Order that rescinded the aforementioned relaxations of the Brown Act, effective September 30, 2021. On September 15, 2021, the Governor signed into law AB 361 which essentially continued the Executive Orders that eased certain Brown Act provisions, allowing for remote meetings without observing the normal Brown Act rules.</p> <p>On October 14, 2021 the TRANSPAC Board adopted Resolution 21-01 proclaiming a local emergency, ratifying the proclamation of a State of Emergency, and authorizing remote teleconference meetings of the legislative bodies of TRANSPAC pursuant to the Brown Act provisions under AB 361. This resolution also authorized the 30-day renewal to be approved at subsequent meetings by minute order.</p> <p>On February 28, 2023 the Governor ended the state wide COVID-19 state of emergency. Contra Costa Health Services (CCHS) released revised recommendations for public meetings (dated March 27, 2023) and no longer recommends remote meetings of public bodies but recommends social distancing (when feasible) and masking during periods of high COVID-19 transmission.</p> <p>At the May 11, 2023 TRANSPAC Board meeting, the Board authorized hybrid TRANSPAC Board meetings pursuant to the Brown Act provisions under AB361 and consistent with the Contra Costa Health Services' recommendation for social distancing (when feasible). By way of this action, Board members will attend in-person with a remote meeting option for members of the public. Other TRANSPAC bodies including the TRANSPAC TAC, special and/or ad-hoc committees will continue meeting virtually. This action also requires that the TRANSPAC Board</p>

	reconsider the circumstances of meetings of TRANSPAC every 30 days per AB361.
Recommendation	Reauthorize the continuation of remote meetings of the legislative bodies of TRANSPAC pursuant to the Brown Act provisions under AB361 through September 30, 2023. By way of this action, TRANSPAC will conduct in-person meetings with a hybrid component for public participation for regular TRANSPAC Board meetings. Other TRANSPAC bodies including the TRANSPAC TAC, special and/or ad-hoc committees will continue meeting virtually.
Financial Implications	There is no immediate fiscal impact.
Option(s)	1. Resume in person meetings for all legislative bodies of TRANSPAC beginning September 14, 2023, and forward per “traditional” Brown Act Standards.
Attachment(s)	A. Recommendations for safely holding public meetings, gatherings, and business meetings (revised March 27, 2023)

Background

Beginning in March of 2020, the Governor issued a series of Executive Orders relaxing certain provisions of the Brown Act in response to the COVID-19 pandemic. Those orders allowed local agencies such as TRANSPAC to conduct their public meetings remotely. On June 11, 2021, the Governor issued an Executive Order that rescinded the aforementioned relaxations of the Brown Act, effective September 30, 2021. On September 15, 2021, the Governor signed into law AB 361 which essentially continued the Executive Orders that eased certain Brown Act provisions, allowing for remote meetings without observing the normal Brown Act rules. AB 361 has a requirement to reconsider the circumstances of the State of Emergency every 30 days and determine whether the State of Emergency continues to directly impact the ability of the members to meet safely in person, or State or local officials continue to impose or recommend measures to promote social distancing.

On October 14, 2021 the TRANSPAC Board adopted Resolution 21-01 proclaiming a local emergency, ratifying the proclamation of a State of Emergency, and authorizing remote teleconference meetings of the legislative bodies of TRANSPAC pursuant to the Brown Act provisions under AB 361. This resolution also authorized and directed that the TRANSPAC Subcommittees will also continue to meet remotely, and that the resolution would be renewed within 30 days, consistent with the requirements of AB 361, if TRANSPAC desired to continue meeting under the modified Brown Act.

Governor Newsom ended the State level COVID-19 State of Emergency on February 28, 2023, which was the initial impetus to authorize remote meetings under the Brown Act Provisions of AB 361. On March 27, 2023, Contra Costa County Health Services (CCHS) revised the "Recommendations for Safely Holding Public Meetings", which no longer encourages online meetings except where the COVID-19 transmission is medium or high and would impact high-risk individuals. The guidance continues to encourage social distancing, including six feet of spacing between individuals when feasible and encourages masking when transmission is high.

At the May 11, 2023 TRANSPAC Board meeting, the Board authorized hybrid meetings of the TRANSPAC Board and Committees under the provisions of Assembly Bill 361 (AB361) and consistent with the Contra Costa Health Services' recommendations for social distancing for public meetings (where feasible). Through this action, Board members will attend in-person with a remote meeting option for members of the public. Other TRANSPAC bodies including the TRANSPAC TAC, special and/or ad-hoc committees will continue meeting virtually. This action also requires that the TRANSPAC Board reconsider the circumstances of meetings of TRANSPAC every 30 days per AB361. This approach is consistent with the CCTA Board's approach to the AB361 legislation. Staff will continue to monitor Contra Costa Health Services recommendations and maintain communication with CCTA staff on AB361 implementation.

It is requested that the TRANSPAC Board reauthorize the continuation of remote meetings of the legislative bodies of TRANSPAC pursuant to the Brown Act provisions under AB361 through September 30, 2023 as outlined above.

Recommendations for safely holding public meetings, gatherings, and business meetings:

As we enter this new phase of COVID-19 we have more tools available to mitigate transmission of COVID-19 and decrease the chance of severe disease. These tools remain important and should be taken into consideration when holding public meetings or other gatherings. Information about local COVID-19 indicators can be found at [CDC county community level](https://www.cdc.gov/communitylevel) and <https://www.coronavirus.cchealth.org/data-summary>.

As the COVID-19 public health emergency ends, the following are recommendations to minimize the risk of COVID 19 transmission during a public meeting.

1. Allow options for individuals who may be at higher risk to attend and participate via a call-in or an internet-based services option. This is good practice generally, no matter the COVID-19 transmission rate, but is particularly important when community level is medium or high.
2. Recommend indoor masking, particularly if county COVID-19 community level is medium or high, as noted in CDPH masking guidance: <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face-coverings.aspx>.
3. Recommend self-symptom screening no matter the COVID-19 county community level and encourage messaging that continues to reinforce that individuals not go into common or public indoor spaces when not feeling well in order to reduce disease transmission.
4. Recommend social distancing (six feet of separation between individuals), when feasible.
5. Consider holding public meetings, gatherings, or business meetings outdoors, when county COVID-19 community levels is high. If unable to host outdoors, consider ways to [increase ventilation and flow](#) of the indoor space to reduce the risk of COVID-19 transmission while indoors.
6. Encourage attendees to remain up-to-date on their COVID-19 vaccine no matter the county COVID-19 community level.

