

# TRANSPAC REMOTE MEETING PARTICIPATION POLICY

Adopted: February 12, 2026

## I. Purpose

This policy establishes procedures for remote participation in TRANSPAC Board meetings, including procedures for Board members to participate remotely via teleconference and for the public to access and participate in meetings remotely, in compliance with the Ralph M. Brown Act (Government Code Section 54950 et seq.), as amended by Senate Bill 707.

This policy applies to TRANSPAC Board meetings only. TRANSPAC does not currently provide two-way audiovisual teleconferencing for other TRANSPAC meetings.

## II. Technical Requirements for Remote Participation

### A. Board Members

Board members participating remotely must ensure:

- Reliable internet connection or telephone service
- Working audio and video equipment
- Quiet environment free from background noise and distractions
- Ability to access and review meeting materials electronically

### B. Public Participants

Members of the public participating remotely must ensure:

- Reliable internet connection or telephone service
- Working audio equipment (video optional but encouraged)

A quiet environment free from background noise is recommended. Participants should mute their microphones when not speaking.

## III. Traditional Teleconference Participation (Government Code Section 54953(b))

### A. Requirements

Any Board member may participate via traditional teleconference at any time, subject to the following requirements:

1. **Advanced Notice.** TRANSPAC has established the following internal deadline to ensure timely agenda preparation and public posting: Members must notify the Chair and TRANSPAC staff by telephone or email and provide the complete teleconference address no later than 12:00 PM the Thursday preceding each regular meeting.
2. **Notice and Accessibility (§54953(b)(3)):** Each teleconference location must be identified in the meeting notice and agenda and remain accessible to the public throughout the meeting. Agendas must be posted at each teleconference location. A location is considered accessible when: (1) the physical location is open to the public as noticed, and (2) the participating member has established two-way audio and visual connection. If either condition is not met at the time the meeting is called to order, the Chair will allow up to 10 minutes for both conditions to be satisfied. If unresolved, the Chair shall recess or adjourn the meeting.

3. **Quorum Location (§54953(b)(3)):** At least a quorum of the Board must participate from locations within TRANSPAC's jurisdictional boundaries (Cities of Clayton, Concord, Martinez, Pleasant Hill, and Walnut Creek, and unincorporated areas of Contra Costa County).
4. **Public Access (§54953(b)(3)):** Members of the public must be able to address the Board from any teleconference location. Members participating via traditional teleconference are requested to log into the meeting platform no later than 15 minutes before the scheduled start time to allow staff to confirm access prior to the meeting being called to order. In the event of a technology disruption affecting public access during the meeting, see Section VIII.
5. **Voting (§54953(b)(2)):** All votes must be taken by roll call.
6. **All Members May Participate Remotely:** All Board members may participate from different teleconference locations, provided each location meets the above requirements and at least a quorum participates from within TRANSPAC's boundaries.

#### **B. Annual Limits**

Traditional teleconference may be used as often as desired provided all requirements are met. There is no annual limit.

### **IV. Just Cause Remote Participation (Government Code Section 54953.8.3)**

#### **A. Qualifying Circumstances (§54953.8.3(a))**

Members may participate remotely for "just cause" based on the following circumstances as defined in Government Code Section 54953.8.3:

- Childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner
- Contagious illness that prevents in-person attendance
- Need related to a physical or mental disability or health condition
- Travel while on official business of TRANSPAC or another state or local agency
- Immunocompromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner
- Physical or family medical emergency
- Military service obligations requiring the member to be at least 50 miles outside TRANSPAC boundaries

#### **B. Notice Requirements (§54953.8.3(b))**

Members must notify both the Chair and TRANSPAC staff of the need to participate remotely as soon as possible, and no later than before the start of the meeting. The notice must include the general reason (just cause category) without requiring disclosure of confidential medical information. Staff will confirm whether a physical quorum will be present to meet Brown Act requirements for just cause participation. If a quorum cannot be confirmed, staff will notify the member as soon as possible to discuss available options.

#### **C. Annual Limits (§54953.8.3(d))**

Each member is limited to two remote participations per calendar year based solely on just cause. This limit does not apply to:

- Traditional teleconference participation (Section III)
- Disability accommodation participation (Section V)
- Emergency teleconference participation (Section VI)

#### **D. Procedures (§54953.8.3(c))**

1. Member notifies Chair and staff of just cause need
2. At least 4 Board members must be physically present at a singular meeting location within TRANSPAC boundaries to constitute a quorum
3. Member participates via two-way audiovisual technology
4. Member discloses at the start of the meeting whether any other individuals 18 years or older are present at remote location and general nature of their relationship
5. Once a quorum is established, the remote member may fully participate and vote.
6. Remote location does not need to be disclosed

#### **V. Disability Accommodation Remote Participation (Government Code Section 54953(c))**

##### **A. General Provisions**

Members with disabilities may participate remotely as a reasonable accommodation pursuant to Government Code Section 54953(c) and the Americans with Disabilities Act. Members should notify the Chair and TRANSPAC staff as soon as the need is known, and at least 48 hours before the meeting time when possible. Remote participation under this section is treated as equivalent to in-person attendance for all purposes, including establishing a quorum.

##### **B. Documentation Requirements**

Members requesting disability accommodation should submit a written request to the Chair and TRANSPAC staff stating the need for remote participation as a reasonable accommodation. TRANSPAC does not require disclosure of diagnosis or detailed medical information. All requests will be kept confidential in accordance with applicable privacy laws.

##### **C. Annual Limits**

There is no limit on the number of times a member may participate remotely based on disability accommodation, as long as the disability exists and remote participation remains a reasonable accommodation.

#### **D. Procedures (§54953(c)(2)-(3))**

1. Member requests accommodation through Chair and TRANSPAC staff
2. Member participates via two-way audiovisual technology (or audio-only if visual participation is not possible due to disability)
3. Member discloses at the start of the meeting whether any other individuals 18 years or older are present at remote location and general nature of relationship
4. Remote participation under disability accommodation counts as in-person attendance for all purposes, including quorum.
5. Remote location does not need to be disclosed.

## **VI. Emergency Teleconferencing (Government Code Section 54953.8.2)**

### **A. Applicability (§54953.8.2(a))**

During proclaimed state or local emergencies, TRANSPAC may meet entirely remotely if it makes specific findings that in-person meetings would pose imminent health or safety risks to attendees. These findings must be reconfirmed every 45 days if the emergency teleconferencing continues.

### **B. Required Findings (§54953.8.2(b))**

To use emergency teleconferencing, the Board must make one of the following findings by majority vote:

1. State of emergency conditions directly impact the ability of members to meet safely in person, or
2. State or local officials have imposed or recommended measures to promote social distancing, or
3. Meeting in person would present imminent risks to attendee health or safety

### **C. Reconfirmation Requirements (§54953.8.2(c))**

If TRANSPAC continues to meet entirely remotely under this emergency authority, the Board will periodically place reconsideration of these findings on a meeting agenda and confirm, update, or withdraw them as appropriate, consistent with the Brown Act.

### **D. Notice and Access Requirements (§54953.8.2(d)-(e))**

During emergency teleconferencing:

- The agenda must state the Board is meeting pursuant to Government Code Section 54953.8.2
- Two-way public access must be provided via telephonic or audiovisual platform
- Members do not need to post their individual teleconference locations
- All other Brown Act requirements continue to apply (agendas, public comment, open meetings, etc.)

### **E. Annual Limits**

There is no limit on the number of times emergency teleconferencing (Section VI) may be used during a proclaimed emergency, as long as the required findings are made and reconfirmed as needed.

## **VII. Public Remote Access to Meetings**

TRANSPAC will provide two-way audiovisual access for the public to observe and participate in Board meetings. This access will be provided through video conferencing platforms such as Zoom, along with call-in telephone numbers for audio-only access.

Members of the public may:

- Observe meetings via video or audio

- Provide public comment remotely during designated comment periods (limited to the allotted time per speaker)
- Submit written comments in advance to be read during the meeting (must be received by 3:00 p.m. the day before the meeting)

The Chair will ensure remote participants have equal opportunity to participate as in-person attendees, including:

- Announcing when public comment periods begin
- Calling on remote participants in the order received
- Applying time limits equally to remote and in-person speakers

### **VIII. Technology Disruption Procedures**

If technology disruption prevents the public from accessing or participating in a meeting remotely:

1. The Chair will immediately announce the disruption
2. Staff will attempt to restore access within 10 minutes
3. If access cannot be restored within 10 minutes, the meeting will be recessed
4. Staff will continue efforts to restore access for up to one hour
5. If access is restored, the meeting will resume
6. Prior to resuming, the Board shall adopt by roll call vote a finding that good-faith efforts were made to restore access and that resuming the meeting serves the public interest
7. If access cannot be restored within one hour, the Chair may either: (1) adjourn the meeting and reschedule with proper notice, or (2) continue the remaining agenda items to “a time and place certain” (§54954.2), announced on the record and posted as required by the Brown Act (items already acted upon need not be reheard)
8. Notice of the rescheduled meeting will be posted as required by the Brown Act

### **IX. Member Responsibilities**

Members participating remotely are responsible for:

- Notifying the Chair and staff of intent to participate via teleconference in advance per the applicable provision of this policy.
- Testing technology in advance of the meeting
- Ensuring compliance with all applicable Brown Act requirements
- Maintaining confidentiality during closed sessions or other confidential matters
- Disclosing presence of individuals over the age of 18 at remote location as required
- Avoiding serial meeting violations when communicating electronically about TRANSPAC business
- Notifying Chair and staff immediately if technology issues arise during meeting

### **X. Policy Review**

This policy shall be reviewed and updated as necessary to ensure compliance with state law and best practices for remote meeting participation.