


M E M O

Alameda Corridor Transportation Authority

To: Governing Board

Meeting Date: February 2, 2023

From: Michael C. Leue, Chief Executive Officer 

Subject: APPROVE Resolution No. JPA 23-3 authorizing teleconference meetings and in-person and/or hybrid meetings for the ACTA Governing Board and its Audit Committee pursuant to AB 361

Recommendation:

Approve the proposed Resolution to authorize the ACTA Governing Board and its Audit Committee to continue holding teleconference meetings or to hold in-person and/or hybrid meetings due to the COVID-19 pandemic.

Discussion:

Due to the COVID-19 pandemic, from April 2020 onward the ACTA Governing Board and its Audit Committee have conducted public meetings via telephonic conference calls, while such remote meetings were authorized through various Executive Orders issued by the Governor of California. These Executive Orders expired on September 30, 2021.

On September 16, 2021, the Governor signed into law Assembly Bill 361 (AB 361), which amended certain requirements of the Ralph M. Brown Act ("Brown Act") by allowing a continuation of similar remote meeting practices during declared states of emergency where certain requirements are met. Pursuant to the Governor's Executive Order N-15-21, AB 361 went into effect on October 1, 2021.

To utilize the Brown Act remote meeting provisions set forth in AB 361, legislative bodies must make certain findings regarding the COVID-19 state of emergency and the need for remote meetings, and so long as the need for remote meetings continues, make those findings by a majority vote every 30 days. The attached Resolution (Transmittal 1) makes the necessary findings pursuant to the Brown Act to authorize the Governing Board and its Audit Committee to follow the teleconference meeting provisions of Government Code Section 54953(e)(2) and opt for in-person and/or hybrid (a combination of virtual and in-person) meetings.

On September 30, 2021, the City of Long Beach Health Officer recommended that physical distancing measures continue to be practiced throughout Long Beach communities and that they be continued by the City's legislative bodies to minimize the spread of COVID-19 for the protection of the community, staff, presenters, and legislative body members. On November 9, 2022, the City of Long Beach Health Officer recommended the continuation of virtual public meetings, to the extent possible, to promote social distancing measures due to the COVID-19 pandemic, and such recommendation currently remains in place.

The Long Beach Board of Harbor Commissioners began to conduct hybrid meetings on October 24, 2022, allowing both the commissioners and the public to attend in person or remotely. The Los Angeles Board of Harbor Commissioners returned to in-person meetings on November 3, 2022.



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Budget Impact:

There will be no budget impact from the proposed action.

Co-General Counsel Review:

ACTA's Co-General Counsel has reviewed and approved the proposed Resolution as to form.

Transmittals:

Transmittal 1 – Resolution No. JPA 23-3