



Special AMBAG Board of Directors Agenda

Association of Monterey Bay Area Governments

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Meeting Via GoToWebinar

DATE: January 5, 2022

TIME: 5:00 PM

Please register for the AMBAG Board of Directors meeting at:

<https://attendee.gotowebinar.com/register/2163635893403655436>

On September 16, 2021, Governor Newsom signed AB 361 into law. The provisions enacted by AB 361 provide flexibility to meet remotely during a proclaimed emergency and will sunset on January 1, 2024. The AMBAG Board of Directors meeting will be conducted via GoToWebinar as established by Resolution 2021-11 adopted by the AMBAG Board of Directors on December 8, 2021. The AMBAG Board of Directors will participate in the meeting from individual remote locations.

Members of the public will need to attend the meeting remotely via GoToWebinar. We apologize in advance for any technical difficulties.

Persons who wish to address the AMBAG Board of Directors on an item to be considered at this meeting are encouraged to submit comments in writing at info@ambag.org by Tuesday, January 4, 2022. The subject line should read "Public Comment for the January 5, 2022 Board of Directors Meeting". The agency clerk will read up to 3 minutes of any public comment submitted.

To participate via GoToWebinar, please register for the January 5, 2022 AMBAG Board of Directors meeting using the following link: <https://attendee.gotowebinar.com/register/2163635893403655436>

You will be provided dial-in information and instructions to join the meeting.

If you have any questions, please contact Ana Flores, Clerk of the Board at aflores@ambag.org or at 831-883-3750 Ext. 300.

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1. **CALL TO ORDER**
 2. **ROLL CALL**
 3. **ORAL COMMUNICATIONS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA**
(A maximum of three minutes on any subject not on the agenda)
 4. **ORAL COMMUNICATIONS FROM THE BOARD ON ITEMS NOT ON THE AGENDA**
 5. **Resolution in Accordance with AB 361 regarding the Ralph M. Brown Act and Finding of Imminent Risk to Health and Safety of In-Person Meetings as a Result of the Continuing COVID-19 Pandemic State of Emergency Declared by Governor Newsom**
 - Maura Twomey, Executive Director

Adopt a resolution in accordance with AB 361 regarding the Ralph M. Brown Act and finding of imminent risk to health and safety of in-person meetings as a result of the continuing COVID-19 pandemic state of emergency declared by Governor Newsom.
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6. **ADJOURNMENT**

REFERENCE ITEMS:

- A. 2022 Calendar of Meetings (Page 5)
- B. Acronym Guide (Page 7)

NEXT MEETING:

Date: January 12, 2022
Location: GoToWebinar
Executive/Finance Committee Meeting: 5:00 PM
Board of Directors Meeting: 6:00 PM

If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. If you have a request for disability-related modification or accommodation, including auxiliary aids or services, contact Ana Flores, AMBAG, 831-883-3750, or email aflores@ambag.org at least 48 hours prior to the meeting date.

A RESOLUTION

OF THE ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS BOARD OF DIRECTORS ADOPTING A RESOLUTION REGARDING THE RALPH M BROWN ACT AND FINDING OF IMMINENT RISK TO HEALTH AND SAFETY OF IN-PERSON MEETING AS A RESULT OF THE CONTINUING COVID-19 PANDEMIC STATE OF EMERGENCY DECLARED BY GOVERNOR NEWSOM

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic; and,

WHEREAS, the proclaimed state of emergency remains in effect; and,

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting law, Government code Section 54950 et seq. (the “Brown Act”), provided certain requirements were met and followed; and,

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 that clarified the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021; and,

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 that provides that a legislative body subject to the Brown Act may continue to meet without fully complying with the teleconferencing rules in the Brown Act provided the legislative body determines that meeting in person would present imminent risk to the health and safety of attendees, and further requires that certain findings be made by the legislative body every (30) days; and,

WHEREAS, California Department of Public Health (“CDPH”) and the federal Centers for Disease Control and Prevention (“CDC”) caution that the Delta and Omicron variants of COVID-19, currently the dominant strains of COVID-19 in the country, are more transmissible than prior variants of the virus, may cause severe illness, and that even fully vaccinated individuals can spread the virus, may cause more severe alarming rates of COVID-19 cases and hospitalizations (<https://cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html>); and,

WHEREAS, other variants of COVID-19 exist, and it is unknown at this time whether other variants may result in a new surge in COVID-19 cases; and,

WHEREAS, the CDC has established a “Community Transmission” metric with 4 tiers designated to reflect a community’s COVID-19 case rate and percent positivity; and,

WHEREAS, Monterey County currently has a Community Transmission metric of “moderate”, Santa Cruz County currently has a Community Transmission metric of “substantial”, and San Benito County currently has a Community Transmission metric of “high” which is the most serious of the tiers; and,

WHEREAS, the Board of Directors for the Association of Monterey Bay Area Governments (AMBAG) is empowered to take actions necessary to protect public, health, welfare and safety within the region; and,

WHEREAS, AMBAG has an important governmental interest in protecting the health, safety and welfare of those who participate in meetings of AMBAG’s various legislative bodies subject to the Brown Act; and,

WHEREAS, in the interest of the public health and safety, as affected by the emergency cause by the spread of COVID-19, the AMBAG Board of Directors deems it necessary to find that meeting in person for meetings of all AMBAG related legislative bodies as well as subcommittees of the board of Directors subject to the Ralph M. Brown Act, would present imminent risk to the health or safety of attendees, and thus intends to invoke the provisions of AB 361 related to teleconferencing as provided in subdivisions (e) of Government Code section 54953; and,

WHEREAS, all teleconference meetings of the AMBAG Board of Directors, AMBAG Executive/Finance Committee, as well as all subcommittees of the Board of Directors shall comply with the requirements to provide the public with access to meetings as prescribed in paragraph (2) of subdivision (e) of Government Code section 54953;

NOW, THEREFORE, BE IT RESOLVED that the AMBAG Board of Directors does hereby approve as follows:

1. The AMBAG Board of Directors finds that meeting in person for meeting of all AMBAG related legislative bodies subject to the Ralph M. Brown Act would present imminent risk to the health or safety of attendees.
2. This finding applies to all AMBAG related legislative bodies subject to the Brown Act, including but not limited to, the AMBAG Board of Directors meeting; the AMBAG Executive/Finance Committee; the RAPS, Inc. Board of Directors meeting, and any other standing committees.
3. Staff is directed to return to the Board of Directors no later than thirty (30) days after the adoption of this resolution, or by next Board of Directors meeting (whichever comes first), with an item for the Board to consider making the findings required by AB361 in order to continue meeting under its provisions.
4. The AMBAG Executive Director and AMBAG Counsel are directed to take such other necessary or appropriate actions to implement the intent and purposes of this resolution.

PASSED AND ADOPTED this 5th day of January 2022.

Steve McShane, President

Maura F. Twomey, Executive Director



The 2022 AMBAG Board of Directors meeting locations are subject to change and may be held remotely in light of Governor Newsom's State of Emergency declaration regarding the COVID-19 outbreak and in accordance with AB 361.

2022 AMBAG Calendar of Meetings

| | |
|---------------------------|--|
| January 12, 2022 | GoToWebinar Meeting Time: 6 pm |
| February 9, 2022 | TBD Meeting Time: 6 pm |
| March 9, 2022 | TBD Meeting Time: 6 pm |
| April 13, 2022 | TBD Meeting Time: 6 pm |
| May 11, 2022 | TBD Meeting Time: 6 pm |
| June 8, 2022 | TBD Meeting Time: 6 pm |
| July 2022 | No Meeting Scheduled |
| August 10, 2022 | TBD Meeting Time: 6 pm |
| September 14, 2022 | TBD Meeting Time: 6 pm |

Planning Excellence!

2022 AMBAG Calendar of Meetings (continued)

October 12, 2022

TBD

Meeting Time: 6 pm

November 9, 2022

TBD

Meeting Time: 6 pm

December 2022

No Meeting Scheduled



| AMBAG Acronym Guide | |
|----------------------------|--|
| ABM | Activity Based Model |
| ADA | Americans Disabilities Act |
| ALUC | Airport Land Use Commission |
| AMBAG | Association of Monterey Bay Area Governments |
| ARRA | American Reinvestment and Recovery Act |
| 3CE | Central Coast Community Energy |
| CAAA | Clean Air Act Amendments of 1990 (Federal Legislation) |
| Caltrans | California Department of Transportation |
| CAFR | Comprehensive Annual Financial Report |
| CalVans | California Vanpool Authority |
| CARB | California Air Resources Board |
| CCJDC | Central Coast Joint Data Committee |
| CEQA | California Environmental Quality Act |
| CHTS | California Households Travel Survey |
| CMAQ | Congestion Mitigation and Air Quality Improvement |
| CPUC | California Public Utilities Commission |
| CTC | California Transportation Commission |
| DEIR | Draft Environmental Impact Report |
| DEM | Digital Elevation Model |
| DOF | Department of Finance (State of California) |
| EAC | Energy Advisory Committee |
| EIR | Environmental Impact Report |
| FAST Act | Fixing America's Surface Transportation Act |
| FHWA | Federal Highway Administration |
| FTA | Federal Transit Administration |
| FTIP | Federal Transportation Improvement Program |
| GHG | Greenhouse Gas Emissions |
| GIS | Geographic Information System |
| ICAP | Indirect Cost Allocation Plan |
| ITS | Intelligent Transportation Systems |
| JPA | Joint Powers Agreement |

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| LTA | San Benito County Local Transportation Authority |
| LTC | Local Transportation Commission |
| MAP-21 | Moving Ahead for Progress in the 21 st Century Act |
| MBARD | Monterey Bay Air Resources District |
| MOA | Memorandum of Agreement |
| MOU | Memorandum of Understanding |
| MPAD | Monterey Peninsula Airport District |
| MPO | Metropolitan Planning Organization |
| MST | Monterey-Salinas Transit |
| MTP | Metropolitan Transportation Plan |
| MTIP | Metropolitan Transportation Improvement Program |
| OWP | Overall Work Program |
| PG&E | Pacific Gas & Electric Company |
| PPP | Public Participation Plan |
| RAPS, Inc. | Regional Analysis & Planning Services, Inc. |
| RFP | Request for Proposal |
| RHNA | Regional Housing Needs Allocation |
| RTDM | Regional Travel Demand Model |
| RTP | Regional Transportation Plan |
| RTPA | Regional Transportation Planning Agency |
| SAFETEA-LU | Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users |
| SB 375 | Senate Bill 375 |
| SBtCOG | Council of San Benito County Governments |
| SCCRTC | Santa Cruz County Regional Transportation Commission |
| SCMTD | Santa Cruz Metropolitan Transit District |
| SCS | Sustainable Communities Strategy |
| SRTP | Short-Range Transit Plan |
| STIP | State Transportation Improvement Program |
| TAMC | Transportation Agency for Monterey County |
| TAZ | Traffic Analysis Zone |
| USGS | United States Geological Survey |
| VMT | Vehicle Miles Traveled |
| VT | Vehicle Trips |