

# MONTEREY COUNTY

## COMMISSION ON DISABILITIES

1441 SCHILLING PLACE, SALINAS, CA 93901  
(831) 755-5117 ~ Fax (831) 796-8521



## COMMISSION ON DISABILITIES

### SPECIAL MEETING

**Friday, December 17, 2021**

**2:00 p.m.**

### AGENDA

#### IMPORTANT NOTICE REGARDING COVID 19 AND PARTICIPATION IN THE MEETING OF THE MONTEREY COUNTY COMMISSION ON DISABILITIES

Pursuant to AB 361, the Commission meeting will be conducted by teleconference.

**To participate in this Commission on Disabilities meeting, the public is invited to observe and address the Commission telephonically or electronically.**

#### **Public Participation Instructions:**

This meeting will be conducted via teleconference using the Zoom application, and Commissioners will attend electronically or telephonically. The meeting will have no physical location to attend. The Public may observe the Zoom meeting via computer by clicking on the following link:

<https://montereycty.zoom.us/j/96329674053?pwd=WGw5RUUVUc1BabGRLd3VMQXRbYwQOT09>

or the public may listen via phone by dialing 1-669-900-6833 US (San Jose) and, when prompted, entering the **Meeting ID Access Code 963 2967 4053** and **Password 554410**. You will be asked for a "Participant ID". **You do not need a Participant ID** to join the meeting; press the pound key (#) again and you will be automatically connected.

1. If a member of the public wishes to comment on a particular agenda item, the public is strongly encouraged to submit their comments in writing via email to the Civil Rights Office at [CivilRights@co.monterey.ca.us](mailto:CivilRights@co.monterey.ca.us) by 2:00 p.m. on **Wednesday, December 15, 2021**. To assist County staff in identifying the agenda item to which the comment relates, the public is requested to indicate the Commission on Disabilities meeting date and agenda item in the subject line. Comments received by the 2:00 p.m. Wednesday deadline will be distributed to the Committee and will be placed in the record.

2. Members of the public wishing to comment on a specific agenda item while the matter is being heard may participate by any of the following means:
  - a. When the Chairperson calls for public comment on an agenda item, Civil Rights Office staff will first ascertain who wants to testify (among those who are in the meeting electronically or telephonically) and will then call on speakers and unmute their device one at a time. Public speakers may be broadcast in audio form only.
  - b. If speakers or other members of the public have documents they wish to distribute to the Commission for an agenda item, they are encouraged to submit such documents by 2:00 p.m. on Friday before the meeting to [CivilRights@co.monterey.ca.us](mailto:CivilRights@co.monterey.ca.us). To assist staff in identifying the agenda item to which the comment relates, the public is requested to indicate the Commission on Disabilities meeting date and agenda number in the subject line.
  - c. If members of the public want to present documents/Power Point presentations while speaking, they should submit the document by 2:00 p.m. on Wednesday before the meeting at [CivilRights@co.monterey.ca.us](mailto:CivilRights@co.monterey.ca.us). If submitted after that deadline, staff will make best efforts, but cannot guarantee, to make it available to present at the Commission meeting.
  - d. While the matter is being heard, a member of the public may submit a comment via email, preferably limited to 250 words or less, to Civil Rights Office staff at [CivilRights@co.monterey.ca.us](mailto:CivilRights@co.monterey.ca.us). To assist staff in identifying the agenda item to which the comment relates, the public is requested to indicate the Commission on Disabilities meeting date and agenda number in the subject line. If the comment is received prior to close of public comment on an agenda item, every effort will be made to read the comment into the record, but some comments may not be read out loud due to time limitations or length of the comment (if the comment exceeds 250 words). Comments received prior to the close of the public comment period on an agenda item will be made part of the record for that item.
3. Members of the public who wish to make a general public comment for items not on the day's agenda may submit their comment via email, preferably limited to 250 words or less, to Civil Rights Office staff at [CivilRights@co.monterey.ca.us](mailto:CivilRights@co.monterey.ca.us). The Commission on Disabilities meeting date and "general comment" should be indicated in the subject line. The comment will be placed in the record for the meeting, and every effort will be made to read the comment into the record at the appropriate time on the agenda.
4. Individuals with disabilities who desire to request a reasonable accommodation or modification to observe or participate in the meeting may make such request by sending an email to [CivilRights@co.monterey.ca.us](mailto:CivilRights@co.monterey.ca.us). The request should be made no later than noon on the Wednesday prior to the Commission meeting in order to provide time for County to address the request.

**Next Meeting Date: January 31, 2022**

5. The Chairperson or Vice-Chairperson may set reasonable rules as needed to conduct the meeting in an orderly manner.

**Next Meeting Date: January 31, 2022**

I. ROLL CALL AND GREETING OF VISITORS

II. PUBLIC COMMENT

This portion of the meeting is reserved for persons to address the Commission on any matter on this agenda only and under the jurisdiction of the Commission on Disabilities.

III. ACTION ITEM:

Consider finding, pursuant to AB 361 and in order for the Commission on Disabilities to continue to meet remotely, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect, that the Commission on Disabilities has reconsidered the circumstances of the state of emergency; and that the Monterey County Health Officer continues to recommend social distancing measures for meetings of legislative bodies.

ATTACHMENT: STAFF REPORT AB 361

V. ANNOUNCEMENTS AND EVENTS

VI. FUTURE AGENDA ITEMS

- a. In-Home Supportive Services Advisory Committee Report
- b. In-Home Supportive Services Presentation
- c. Commission on Disabilities Bylaws
- d. Annual Report
- e. Blue Zones Presentation

VII. ADJOURNMENT

**Next Meeting Date: January 31, 2022**

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### **AGENDA ITEM NO. III ATTACHMENT: STAFF REPORT AB 361**

**Next Meeting Date: January 31, 2022**



# Monterey County

Item No. III

## Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: 21-1113

December 17, 2021

**Introduced:** 12/13/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** General Agenda Item

Consider finding, pursuant to AB 361 and in order for the Commission on Disabilities to continue to meet remotely, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect, that the Commission on Disabilities has reconsidered the circumstances of the state of emergency; and that the Monterey County Health Officer continues to recommend social distancing measures for meetings of legislative bodies.

### RECOMMENDATION:

It is recommended, pursuant to AB 361 and in order for the Commission on Disabilities to continue to meet remotely, that the Commission on Disabilities find: that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; that the Commission on Disabilities has reconsidered the circumstances of the state of emergency; and that the Monterey County Health Officer continues to recommend social distancing measures for meetings of legislative bodies.

### SUMMARY/DISCUSSION:

On September 16, 2021, Governor Newsom signed AB 361. This legislation amends the Brown Act to allow meeting bodies subject to the Brown Act to meet via teleconference during a proclaimed state of emergency in accordance with teleconference procedures established by AB 361 rather than under the Brown Act's more narrow standard rules for participation in a meeting by teleconference. AB 361 provides that if a state or local health official recommends social distancing, a "legislative body" - which is defined to include the Commission on Disabilities - may meet remotely after September 30, 2021, provided that within 30 days of the first meeting after September 30, and every 30 days thereafter, the legislative body finds 1) the Governor's proclaimed state of emergency is still in effect; 2) the legislative body has reconsidered the circumstances of the state of emergency; and 3) the Monterey County Health Officer continues to recommend social distancing measures for meetings of legislative bodies and/or the state of emergency continues to directly impact the ability of the members to meet safely in person.

The Monterey County Health Officer has recommended and continues to recommend social distancing measures for meetings of legislative bodies, so the Commission on Disabilities was able to meet remotely for the first time after September 30, 2021. This first meeting took place on November 29, 2021. The Commission on Disabilities must now make the findings at least every 30 days in order to keep meeting remotely.

If the Commission on Disabilities declines to make the findings within 30 days after the meeting, the next Commission meeting would be required to be held under the standard Brown Act requirements.

Under those standard requirements, the meeting would be required to be held in a physical location accessible to the public, and if any Commissioner were to want to participate by teleconference, that teleconference location would need to be identified on the agenda, that location would need to be accessible and open to the public in a manner that enables the public to participate from that location, and the agenda would need to be posted at that location in addition to the usual posting location.

OTHER AGENCY INVOLVEMENT:

County Counsel prepared the report.