

**Juvenile Justice Coordinating Council**  
Special Meeting #1  
via Zoom  
Agenda  
Wednesday, February 8, 2023 - 3:30 pm

**ITEM**

**I. CALL TO ORDER**

- A. Roll Call/ Introductions
- B. Additions or Corrections to the Agenda

**II. PUBLIC COMMENT**

Pursuant to the Brown Act, each public agency must provide the public with an opportunity to speak on any matter within the subject matter of the jurisdiction of the agency and which is not on the agency's agenda for that meeting. Comments are limited to no more than 2 minutes per speaker and 5 minutes for representatives of organizations. By law, no action may be taken on any item raised during the public comment period although informational answers to questions may be given and the matter may be referred to staff for placement on a future agenda.

**III. REGULAR CALENDAR**

- A. Adopt findings, pursuant to AB 361 and in order for the Juvenile Justice Coordinating Council to continue to meet remotely, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; that the Juvenile Justice Coordinating Council 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.

**Attachments:**

Staff Report

MC Health Officer Recommendation

**(Action Item)**

- B. Approve Minutes for October 26, 2022

**Attachment:**

Minutes October 26, 2022

**(Action Item)**

**IV. ANNOUNCEMENTS:**

**V. ADJOURNMENT:**

Meetings are accessible to individuals with disabilities. If you need special assistance or accommodation, please contact the Probation Department at 755-3913.

## IMPORTANT NOTICE REGARDING COVID-19

Based on guidance from the California Department of Public Health and the California Governor's Office, in order to minimize the spread of the COVID-19 virus, please do the following:

1. You are strongly encouraged to observe the live stream of the Juvenile Justice Coordinating Council (JJCC) Subcommittee meeting via Zoom at:  
<https://montereycty.zoom.us/j/91549564746?pwd=L2wrR1VNbnBaUStBb0JkaTl5a3grUT09>
2. If you do not have access to a computer, you may call into the meeting and participate by calling the following number: 1-669-900-6833 and entering the following meeting ID: 915 4956 4746 and Password: 011813
3. If you choose not to attend the JJCC Subcommittee meeting but wish to make a comment on a specific agenda item, please submit your comment via email by 5:00 p.m. on Tuesday, February 7, 2023. Please submit your comment to Wendi Reed at [reedwl@co.monterey.ca.us](mailto:reedwl@co.monterey.ca.us) and your comment will be placed into the record at the meeting.
4. If you are watching the live stream of the JJCC Subcommittee meeting and wish to make either a general public comment or to comment on a specific agenda item as it is being heard, please select the "raise hand" option on the Zoom screen, and your microphone will be unmuted so you can speak. To select the "raise hand" option, click on the 'participants' icon at the bottom of your Zoom screen, then click the "raise hand" icon next to your name. If using your telephone press \*9 on the keypad to "raise hand".

COUNTY OF MONTEREY  
PROBATION DEPARTMENT

## M E M O R A N D U M

ADMINISTRATION

February 2, 2023

TO: Juvenile Justice Coordinating Council (JJCC) Members

FROM: Probation Staff

MEETING: February 8, 2023

SUBJECT: **Item # III. A. Adopt findings, pursuant to AB 361 and in order for the Juvenile Justice Coordinating Council to continue to meet remotely, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; that the Juvenile Justice Coordinating Council 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 that the Juvenile Justice Coordinating Council (JJCC) adopt findings pursuant to AB 361 and the requirements for continued remote meetings after October 1, 2021, for continuance of teleconference meetings under AB361 updated Brown Act rules.

Summary

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. The Monterey County Health Officer has issued a recommendation for social distancing in legislative body meetings, so the first meeting after September 30, 2021, may be held without making findings. If the Juvenile Justice Coordinating Council (JJCC) desires to continue to meet remotely via teleconference after that first meeting, the JJCC is required to make certain findings under AB 361 no later than 30 days after the first teleconference meeting held pursuant to AB 361, and every 30 days thereafter.

Discussion:

AB 361 amended Government Code section 54953 to address holding meetings subject to the Brown Act via teleconference during a declared state of emergency. The amended section 54953 takes the place of the provisions of the prior executive orders related to teleconferencing, except that Governor Newsom has subsequently clarified that requirements related to public meetings of local legislative bodies set forth in Executive Order N-08-21 would continue to govern through September 30, 2021, so long as notice of the public meeting is provided, and the public has the opportunity to observe and participate in the meeting as required by AB 361. AB 361 allows a board, commission or committee subject to the Brown Act, called "legislative bodies" under the

Brown Act, to meet via teleconference without following the normal Brown Act teleconference rules if any of the following circumstances exist:

- A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing. [or]
- (B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees. [or]
- (C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(Gov't Code §54953(e)(1) [AB 361, p. 9].)

If the meeting is held via teleconference under these provisions, the meeting body must meet certain requirements under AB 361, including providing public access to the meeting and opportunity for the public to address the members of the legislative body.

AB 361 also requires periodic review of the determination to continue to meet via teleconference. If the state of emergency is still active, or if “state or local officials have imposed or recommended measures to promote social distancing,” then no later than 30 days after meeting via teleconference for the first time pursuant to AB 361, the body must make a finding that the body “has reconsidered the circumstances of the state of emergency” and further find that “[a]ny of the following circumstances exist: (i) The state of emergency continues to directly impact the ability of the members to meet safely in person. (ii) State or local officials continue to impose or recommend measures to promote social distancing.” (Gov't Code §54953(e)(3) [AB 361, p. 11].)

The Monterey County Health Officer has issued a recommendation for social distancing during legislative body meetings; therefore, so long as that recommendation is in place, the first meeting of the JJCC after October 1, 2021, may occur without the need to make any findings, even if the first meeting doesn't occur until November or even December. However, within 30 days of that first meeting the JJCC will be required to make the requisite findings. If the JJCC does not meet again within 30 days, a special meeting may be necessary for this purpose. If the finding is not timely made, the JJCC will be required to meet in person to make findings to return to remote meetings.

Finally, the teleconference rules of AB 361 are operative only so long as the Governor's proclamation of statewide emergency is in place; once that proclamation is terminated, the JJCC must either meet in person or utilize the normal Brown Act rules for teleconferencing (teleconference location open to the public and agenda posted).

Attachment:

- Monterey County Health Officer Recommendation



# COUNTY OF MONTEREY HEALTH DEPARTMENT

Elsa Mendoza Jimenez, Director of Health

Administration    Animal Services    Behavioral Health    Clinic Services  
Emergency Medical Services    Environmental Health    Public Administrator/Public Guardian    Public Health

## **Recommendation Regarding Social Distancing Including Remote Meetings of Legislative Bodies**

Issued: September 22, 2021

The Monterey County Health Department continues to recommend that physical and social distancing strategies be practiced in Monterey County, which includes remote meetings of legislative bodies of local agencies, to the extent possible.

Monterey County continues to experience transmission of COVID-19 locally. Physical and social distancing is still an effective measure to reduce the spread of COVID-19, especially when combined with use of face coverings, frequent hand washing, staying home when ill, testing, and vaccination with U.S. Food and Drug Administration approved or authorized COVID-19 vaccines.

Remote meetings of legislative bodies allow for the virtual participation of agency staff, presenters, and community members in safer environments, with less risk of exposure to SARS-CoV-2, the virus that causes COVID-19.

The Monterey County Health Officer will continue to monitor local metrics and the necessity of this recommendation.

**Juvenile Justice Coordinating Council**  
**Special Meeting #1**  
Action Minutes  
October 26, 2022 - 3:30 pm  
  
*Monterey County Probation Department*  
*Special Meeting Via Zoom*  
*(831) 755-3913*

Members Present: Todd Keating (Chair), Jim Bass, Deborah Carrillo, Susan Chapman, Cesar Lara, Kelly Molton (representing Katy Eckert), Jeannine Pacioni, John Phillips, Douglas Southard (representing Lori Medina), Beth Wilbur

Members Absent: Nick Borges, Deneen Guss, Robin McCrae

**I. Welcome/ Call to Order**

The meeting was called to order at 3:30 p.m.

**II. Public Comments** (limit 2 minutes per speaker)

No public comment.

**III. Scheduled Items**

A. Adopt findings, pursuant to AB 361 and in order for the Juvenile Justice Coordinating Council to continue to meet remotely, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; that the Juvenile Justice Coordinating Council 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.

A motion was made by Cesar Lara, seconded by Jeannine Pacioni, to adopt the findings pursuant to AB361 and allow the Juvenile Justice Coordinating Council to continue to meet remotely.

Ayes: Jim Bass, Deborah Carrillo, Susan Chapman, Todd Keating, Cesar Lara, Kelly Molton, Jeannine Pacioni, John Phillips, Douglas Southard, Beth Wilbur

Noes: None

Absent: Nick Borges, Deneen Guss, Robin McCrae

Abstain: None

**V. Announcements**

None.

**VI. Adjournment**

The meeting adjourned at 3:10 pm.

This meeting was followed by the second part of the JJCC meeting to discuss the scheduled items.