

# MONTEREY COUNTY



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May 11, 2021

The Honorable Robert Rivas  
California State Assembly  
State Capitol, Room 5158  
Sacramento, CA 95814

**RE: AB 361 (R. Rivas) – Brown Act: Remote Meetings During Emergencies. – Support [As Amended]**

Dear Assemblymember Rivas:

The County of Monterey is pleased to support your AB 361 (R. Rivas), which would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act.

Due to the stay-at-home order and the need to keep individuals physically distanced from one another, Governor Newsom issued executive orders (N-25-20, N-29-20, N-35-20) modifying the requirements of the Brown Act. As proposed to be amended, AB 361 seeks to codify several provisions from within the executive orders.

AB 361 would allow local agencies to safely meet remotely during an emergency. The changes included in AB 361 are what have allowed local agencies to continue to operate while complying with important public health directives issued by officials during the COVID-19 pandemic; by enshrining these provisions in statute, this bill ensures that local agencies would continue to be able to remain safe in future emergencies that threaten public health.

This bill will include important safeguards that ensure public agency transparency and public access. For a public agency to utilize these provisions to meet remotely, a local agency must meet subsequent or concurrent to a proclaimed state of emergency or declared local emergency, and declare that the nature of the emergency would prevent them from safely meeting in-person. AB 361 would specifically prohibit local agencies from requiring members of the public to submit their comments in advance, guaranteeing that the public has the opportunity to observe and offer comment during the meeting.

For these reasons, Monterey County supports AB 361 (R. Rivas). Should you have any questions, please feel free to contact Monterey County's Public Policy Advisor, Ashley Walker of Nossaman LLP at 916-442-8888.

Sincerely,

**DRAFT**

Wendy Root Askew  
Chair, Board of Supervisors

Cc: Hon. Anna Caballero, 12<sup>th</sup> Senate District  
Hon. John Laird, 17<sup>th</sup> Senate District  
Hon. Mark Stone, 29<sup>th</sup> Assembly District

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