

County of San Mateo

Agricultural Advisory Committee – Teleconferencing Under the Brown Act (SB 707)

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COUNTY_{OF} **SAN MATEO**



Types of Teleconferencing

- Traditional rules
- Reasonable accommodation
- Emergency
- Just Cause
- Eligible subsidiary body

“Traditional” Teleconferencing Rules

Legislative bodies may meet by teleconference, through audio or video or both, for all purposes, IF:

- 1) All votes taken by roll call;
- 2) Each location identified in agenda and agenda posted at each location;
- 3) Rights of public protected at each location, including right to access and comment; and
- 4) At least a quorum of members participate from within the County

“Traditional” Teleconferencing Rules

- SB707: Watching or listening without speaking/discussing is not teleconferencing. (County already followed this rule.)

Teleconferencing as Reasonable Accommodation

Members with a disability may teleconference as a reasonable accommodation

- Must participate through audio and visual technology unless prevented by disability
- Must disclose any present adults and relationship to them
- Treated as “in-person” participation

Emergency Teleconferencing

- Teleconferencing allowed during proclaimed state of emergency or local emergency
- Legislative body must make and renew findings every 45 days that in person meeting would present imminent risks to the health or safety of attendees
- Rollcall votes required

“Just Cause” Teleconferencing

- Allows members to teleconference for “just cause” two times* per year without complying with “traditional” rules
- Member must notify body at earliest opportunity possible, including at start of the meeting
- Quorum must participate from one, public physical location clearly identified on the agenda

“Just Cause” Teleconferencing

- Members must disclose any present adults and relationship to them
- Agenda must provide notice and opportunity for public to participate remotely
- Pause meeting if remote public participation is disrupted
- Rollcall votes required
- Meeting minutes must identify the specific just cause rationale, but no need to disclose diagnosis or disability

“Just Cause” Teleconferencing

- 1) Childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner
- 2) Contagious illness
- 3) A need related to a physical or mental condition that is not otherwise covered as an ADA accommodation
- 4) Travel while on official business of the legislative body or another state or local agency.
- 5) Have an immunocompromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner
- 6) A physical or family medical emergency
- 7) Military service obligations

“Eligible Subsidiary Body”

Teleconferencing

- BOS has authorized the AAC members to meet entirely via teleconference
- Requires approval by majority vote of the AAC
- If approved, public may participate either:
 - Via two-way audiovisual platform (e.g., Zoom); or
 - At a physical meeting location designated by AAC, with staff member present
- Members participating remotely must appear on camera (unless prevented by a disability)

“Eligible Subsidiary Body” Teleconferencing

- Members must disclose any present adults and relationship to them
- Rollcall votes required
- Elected officials serving in their official capacities may not rely on this provision

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