

## The Brown Act *New Normal* (AB 2449) Teleconferencing Rules effective March 1, 2023, unless emergency order is extended.

1. AB 2449 requires a quorum of members be physically present. If there is not a physical quorum there is no quorum even if other members are teleconferencing.
2. Members of the public may participate in person, by phone or by teleconferencing.
3. A member may only teleconference for publicly disclosed "**just cause**" or in "**emergency circumstances**" approved by the legislative body.
4. Any member request for just cause or emergency circumstances should be stated on the record at the beginning of each meeting. Location is no longer required.
5. **Just Cause**
  - a. A childcare or caregiving need (for a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner) that requires the member to participate remotely.
  - b. A contagious illness prevents the member from attending the meeting in person.
  - c. A need related to a defined physical or mental disability that is not otherwise accommodated for.
  - d. Traveling while on official business of the Brown Act Bode or another state or local agency.
  - e. Just Cause is limited to two instances per calendar year.
6. **Emergency Circumstances**
  - a. A physical or family medical emergency that prevents a member from attending the meeting in person. No other reason qualifies.
  - b. No protected medical information needs to be given.
  - c. No more than 3 consecutive months.
  - d. Brown Act Body must vote to approve the emergency circumstance.

## Procedure

### 1. Just Cause

- a. Notify Chair and staff at the earliest opportunity, no later than noon Friday. We will determine if we have a physical quorum **Friday afternoon**.
- b. Members can make request as late as the beginning of the meeting.
- c. Provide general description of justification for remote attendance.
- d. Staff will document the request.
- e. No vote or action needs to be taken.

### 2. Emergency Circumstances

- a. Notify Chair and staff as soon as possible.
  - b. Member must provide a general (under 20 words) description.
  - c. Request will be added to the beginning of the agenda for approval.
3. Members attending virtually must clearly state on the record if any other individual age 18 or older are present and nature of relationship.
  4. Both video and audio are required to be on for entire meeting.

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### Sample Agenda **Effective March**

1. Call to Order
2. Roll Call to determine Physical Quorum (*if no quorum meeting is adjourned*)
3. Roll Call of Members with Just Cause
  - a. State others present in room over age of 18
4. Requests for Emergency Circumstances
  - a. Chair requests a motion to approve remote attendance for \_\_\_\_\_. Chair then requests a second. Brief description given.
  - b. Chair calls for vote to approve the request.
5. Approval of Agenda