

# Santa Cruz – Monterey – Merced Managed Medical Care Commission

## Special Meeting Agenda

Wednesday, November 17, 2021

3:00 p.m. – 3:30 p.m.



(800) 700-3874

[www.ccah-alliance.org](http://www.ccah-alliance.org)

## Special Meeting at the call of the Chairperson

**(Held via Teleconference Pursuant to Assembly Bill 361  
signed by Governor Newsom, September 16, 2021)**

Important notice regarding COVID-19: In the interest of public health and safety due to the state of emergency caused by the spread of COVID-19, this meeting will be conducted via teleconference. The following alternatives are available to members of the public to view this meeting and to provide comment to the Board.

1. Members of the public wishing to join the meeting may do so as follows:
  - a. Computer, tablet or smartphone via Microsoft Teams:  
[Click here to join the meeting](#)
  - b. Or by telephone at:  
United States: +1 (323) 705-3950  
Phone Conference ID: 769 236 930#
2. Members of the public wishing to provide public comment on items not listed on the agenda that are within jurisdiction of the commission or to address an item that is listed on the agenda may do so in one of the following ways.
  - a. Email comments by 5:00 p.m. on Tuesday, November 16, 2021 to the Clerk of the Board at [kstagnaro@ccah-alliance.org](mailto:kstagnaro@ccah-alliance.org).
    - i. Indicate in the subject line "Public Comment". Include your name, organization, agenda item number, and title of the item in the body of the e-mail along with your comments.
    - ii. Comments will be read during the meeting and are limited to five minutes.
  - b. Public comment during the meeting, when that item is announced.
    - i. State your name and organization prior to providing comment.
    - ii. Comments are limited to five minutes.
3. Mute your phone during presentations to eliminate background noise.
  - a. State your name prior to speaking during comment periods.
  - b. Limit background noise when unmuted (i.e. paper shuffling, cell phone calls, etc.).

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1. **Call to Order by Chairperson Conner. 3:00 p.m.**
  - A. Roll call; establish quorum.
  - B. Supplements and deletions to the agenda.
  
2. **Oral Communications. 3:05 p.m.**
  - A. Members of the public may address the Commission on items not listed on today's agenda that are within the jurisdiction of the Commission. Presentations must not exceed five minutes in length, and any individuals may speak only once during Oral Communications.
  - B. If any member of the public wishes to address the Commission on any item that is listed on today's agenda, they may do so when that item is called. Speakers are limited to five minutes per item.
  
3. **Comments and announcements by Commission members.**
  - A. Board members may provide comments and announcements.
  
4. **Comments and announcements by Chief Executive Officer.**
  - A. The Chief Executive Officer (CEO) may provide comments and announcements.
  
5. **Approve findings that the state of emergency continues to impact the ability of members to meet safely in person and/or State or local officials continue to impose or recommend measures to promote social distancing.**
  - Reference materials: Staff report and recommendation on above topic.  
Pages 5-01 to 5-02

**Announcements:**

**Meetings of Advisory Groups and Committees of the Commission**

The next meetings of the Advisory Groups and Committees of the Commission are:

- Physicians Advisory Group  
Thursday, December 2, 2021; 12:00 – 1:30 p.m.
- Whole Child Model Clinical Advisory Committee  
Thursday, December 16, 2021; 12:00 – 1:00 p.m.

The above meetings will be held via teleconference unless otherwise noticed.

**The next regular meeting of the Commission, after this November 17, 2021 special meeting will be held via teleconference unless otherwise noticed:**

- Santa Cruz – Monterey – Merced Managed Medical Care Commission  
Wednesday, December 1, 2021, 3:00 – 5:00 p.m.

Members of the public interested in attending should call the Alliance at (831) 430-5523 to verify meeting dates and locations prior to the meetings.

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*The complete agenda packet is available for review on the Alliance website at [www.ccah-alliance.org/boardmeeting.html](http://www.ccah-alliance.org/boardmeeting.html). The Commission complies with the Americans with Disabilities Act (ADA). Individuals who need special assistance or a disability-related accommodation to participate in this meeting should contact the Clerk of the Board at least 72 hours prior to the meeting at (831) 430-5523. Board meeting locations in Salinas and Merced are directly accessible by bus. As a courtesy to persons affected, please attend the meeting smoke and scent free.*



**DATE:** November 17, 2021  
**TO:** Santa Cruz-Monterey-Merced Managed Medical Care Commission  
**FROM:** Stephanie Sonnenshine, Chief Executive Officer  
**SUBJECT:** AB 361 – Brown Act: Teleconferencing Meeting Procedures

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Recommendation. Staff recommend the Board consider making the following findings by majority vote, pursuant to Government Code § 54953 (e) (3), to allow for the continued authority to meet remotely through teleconferencing, due to the present state of emergency, under the permissions provided via AB 361:

- (A) The board has reconsidered the circumstances of the state of emergency.
- (B) Any of the following exists:
  - (i) The state of emergency continues to impact the ability of members to meet safely in person.
  - (ii) State or local officials continue to impose or recommend measures to promote social distancing.

Summary. AB 361 (Statutes 2021) amended Government Code § 54953 to modify existing rules requiring the physical presence of members of a public agency for the purposes of conducting a public meeting during declared states of emergency and when state or local officials have imposed or recommended measures to promote social distancing. In order to meet while implementing the permissions provided in AB 361, the Board must make the above referenced findings by majority vote and must reconsider the circumstances every 30 days.

Background. On June 11, 2021 Governor Newsom issued Executive Order N-08-21 which rescinded flexibilities provided to the conduct of public meetings related to in-person participation effective September 30, 2021. Thus, absent legislative action, public meetings must be conducted in full compliance with the Brown Act effective October 1, 2021 including the requirement for full physical public access to all teleconference locations from which Board members were participating.

On September 16, 2021 the Governor signed AB 361 (Rivas) which allows a local agency to continue to use teleconferencing under the same basic rules as provided in the original EOs when certain circumstances occur and certain findings have been made or adopted by the agency. AB 361 requires that, if the state of emergency remains active for more than 30 days, the agency must make findings by majority vote every 30 days to continue using the bill's exemption to the Brown Act teleconferencing rules.

Under the provisions of AB 361, during a proclaimed state of emergency and state or local officials have imposed or recommended measures to promote social distancing, a public body may meet via teleconferencing when having determined by majority vote that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

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Discussion. Given current levels of community transmission, the risk of COVID-19 infection in public settings persists. State and local recommendations regarding masking and in promotion of social distancing also continue.

At its meeting on October 27, 2021, the Board considered the circumstances of the state of emergency and found that the state of emergency continues to impact the ability of members to meet safely in person and that State or local officials continue to impose or recommend measures to promote social distancing. In light of that finding, the meeting was conducted through teleconferencing.

To continue to meet via teleconferencing as permitted by the Brown Act (as amended in AB 361) during a proclaimed state of emergency, the Board must again consider the current circumstances of the state of emergency and, by majority vote, find that the state of emergency continues to impact the ability of members to meet safely in person and/or State or local officials continue to impose or recommend measures to promote social distancing.

The Board will be asked to review the current circumstances and to set the meeting schedule for 2022 at the December 1, 2021 regular meeting. Staff anticipate returning to pre-COVID-19 Brown Act compliant meetings beginning with the February 23, 2022 meeting and for the remainder of 2022.

Fiscal Impact. There is no fiscal impact associated with this agenda item.

Attachments. N/A