



**VENTURA COUNTY TRANSPORTATION COMMISSION
LOCAL TRANSPORTATION AUTHORITY
AIRPORT LAND USE COMMISSION
SERVICE AUTHORITY FOR FREEWAY EMERGENCIES
CONSOLIDATED TRANSPORTATION SERVICE AGENCY
CONGESTION MANAGEMENT AGENCY**
www.goventura.org

**SPECIAL MEETING
AGENDA***

FRIDAY SEPTEMBER 24, 2021

9:00 A.M.

**Actions may be taken on any item listed on the agenda*

The meeting will be held via ZOOM Webinar

Please click the link below to access the webinar:

<https://us02web.zoom.us/j/84319193732?pwd=cVFDTzVpYnNSTzU3ajdoTHljRTJyZz09>

CALL-IN OPTION:

Dial: US 1-669-900-6833

Webinar I.D. 843 1919 3732

Passcode: 738233

*On March 17, 2020, the Governor issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings completely telephonically or by other electronic means. On June 11, 2021, the Governor subsequently issued Executive Order N-08-21 maintaining the suspension of certain provisions of the Brown Act to continue to allow for local legislative bodies to conduct their meetings completely telephonically or by other electronic means through September 30, 2021. As such, VCTC will continue to conduct its meetings by teleconference, its commissioners will participate in the meeting from individual remote locations, and no physical location will be open to the public for the Commission meeting. Members of the public are encouraged to attend the meeting remotely. Members of the public who wish to address the commission on an item to be considered at this meeting are asked to please use the raise hand feature in Zoom (or *9 if you are calling into the Zoom meeting) at the time the Chairperson requests public comments. The Clerk will then advise you when it is your turn to speak. Verbal public comments are limited to three minutes.*

In compliance with the Americans with Disabilities Act and Government Code Section 54954.2, if special assistance is needed to participate in the Commission meeting, please contact VCTC staff (805) 642-1591 ext. 101. Notification of at least 48 hours prior to meeting time will assist staff in assuring those reasonable arrangements can be made to provide accessibility to the meeting.

1. **CALL TO ORDER**

2. **PUBLIC COMMENTS** – *Under the Brown Act, the Board should not take action on or discuss matters raised during Public Comment portion of the agenda which are not listed on the agenda. Board members may refer such matters to staff for factual information or to be placed on the subsequent agenda for consideration.*

3. **CONSIDER A MOTION TO CONTINUE CONDUCTING THE VENTURA COUNTY TRANSPORTATION COMMISSION MEETINGS AND ALL ASSOCIATED AGENCY, AUTHORITY, AND COMMITTEE MEETINGS, REMOTELY DUE TO HEALTH AND SAFETY CONCERNS FOR THE PUBLIC AND MAKING RELATED FINDINGS PURSUANT TO ASSEMBLY BILL 361-PG.3**

Recommended Action:

- *Approve motion to continue conducting the Ventura County Transportation Commission meetings and all associated agency, authority and committee meetings remotely due to health and safety concerns for the public and making related findings pursuant to AB 361.*

Responsible Staff: Steve Mattas

4. **CONSIDERATION OF A REQUEST FROM VENTURA COUNTY CITIZENS FOR TRAFFIC RELIEF TO MAKE A PRESENTATION TO THE COMMISSION- PG.5**

Recommended Action:

- *In accordance with the Article IV section H of the Administrative Code it is recommended that a motion be considered to place the request from the Ventura County Citizens for Traffic Relief to make a presentation on a future agenda.*

Responsible Staff: Mark Watkins and Steve Mattas

5. **ADJOURNMENT**



Item #3

SEPTEMBER 24, 2021

TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: STEVE MATTAS, GENERAL COUNSEL

SUBJECT: CONSIDER A MOTION TO CONTINUE CONDUCTING THE VENTURA COUNTY TRANSPORTATION COMMISSION MEETINGS, AND ALL ASSOCIATED AGENCY, AUTHORITY, AND COMMITTEE MEETINGS, REMOTELY DUE TO HEALTH AND SAFETY CONCERNS FOR THE PUBLIC AND MAKING RELATED FINDINGS PURSUANT TO AB 361

RECOMMENDATION:

It is recommended that the Ventura County Transportation Commission (“Commission”), on behalf of itself and in the role as the Local Transportation Authority, ALUC, Service Authority for Freeway Emergencies, Consolidated Transportation Service Agency and CMA, make a motion, pursuant to the authority set forth in AB 361 (Government Code Section 54953[e][1], to continue conducting Commission meetings, and all associated agency, authority, and committee meetings, remotely due to the imminent risks to the health or safety of attendees if the meetings are held in person.

BACKGROUND:

On March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State address the broader spread of COVID-19.

On March 17, 2020, the Ventura County Board of Supervisors adopted a Resolution proclaiming a local emergency and ratifying the Ventura County Health Officer’s declaration of a local health emergency due to COVID-19.

On March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions of the Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means. Additionally, the State implemented a shelter-in-place order, requiring all non-essential personnel to work from home.

The Commission established virtual meetings. The virtual meetings have allowed the Commission to continue to conduct Commission business from remote locations while ensuring the public’s continued access to government meetings in a safe manner.

On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which among other things, rescinded certain clauses of Executive Order N-29-20 after September 30, 2021, including clauses that suspended certain provisions of the Brown Act. Thus, effective October 1, 2021, agencies would have had to transition back to public meetings held in full compliance with the Brown Act.

Since the Governor issued Executive Order N-08-21, the highly contagious Delta variant has emerged, causing a spike in cases throughout the state and within Ventura County. On August 20, 2021 the Ventura County Health Officer issued a public health order requiring all individuals in the County, regardless of vaccination status, to wear face coverings in all indoor public settings and businesses for the control of COVID-19. This August 20, 2021 Ventura County Public Health Officer order was extended on September 17, 2021 and will be in effect until October 19, 2021, or until it is extended, rescinded, superseded or amended.

On September 16, 2021, the Governor signed AB 361 (2021) which allows for local legislative and advisory bodies to continue to conduct meetings via teleconferencing under specified conditions and includes a requirement that the Commission make specified findings. AB 361 took effect immediately.

Discussion

The California Legislature approved AB 361 and the Governor signed the bill into law on September 16, 2021. AB 361 allows local legislative bodies to continue to meet remotely after the expiration of the clauses of Executive Order N-29-20 which suspended certain Brown Act provisions. Under AB 361, the City and its legislative bodies will be allowed to continue to meet remotely when:

- The local agency holds a meeting during a declared state of emergency;
- State or local health officials have imposed or recommended measures to promote social distancing;
- Legislative bodies declare the need to meet remotely due to present imminent risks to the health or safety of attendees.

The Commission meets the requirements to continue holding meetings remotely in order to ensure the health and safety of the public:

- The Governor has declared a State of Emergency, and the Ventura County Board of Supervisors adopted a Resolution proclaiming a local emergency and ratifying the Ventura County Health Officer's declaration of a local health emergency due to COVID-19.
- County Health orders require that individuals in indoor public spaces wear masks and the CDC recommends social distancing of at least six feet due to COVID-19;
- The Delta variant of COVID-19 has resulted in a significant increase of COVID-19 cases within the state and throughout Ventura County;
- Meeting in person would present imminent risks to the health or safety of attendees, the legislative bodies, and staff.

Now that AB 361 was signed into law, the Commission would need to declare every 30 days that the Commission, and all associated agencies, authorities, and committees, must continue to meet remotely in order to ensure the health and safety of the public.

Furthermore, the Commission previously only accepted written public comments. However, AB 361 now requires that the Commission must provide an opportunity for the public to address the Commission and offer comment in real time. All future meetings held remotely, pursuant to AB 361, must allow the public to address the Commission directly.

Recommendation

It is recommended that the Commission make a motion, pursuant to the authority set forth in AB 361 (Government Code Section 54953[e][1], to continue conducting Commission meetings, and all associated agency, authority, and committee meetings, remotely due to the imminent risks to the health or safety of attendees if the meetings are held in person.



ITEM #4

SEPTEMBER 24, 2021

TO: Ventura County Transportation Commission
FROM: Mark Watkins, Interim Executive Director
SUBJECT: Presentation from Ventura County Citizens for Traffic Relief

DISCUSSION:

During the public comments portion of the September 10, 2021 Ventura County Transportation Commission meeting Interim Executive Director Mark Watkins read into the record a letter from the Ventura County Citizens for Traffic Relief (VCCTR) requesting that VCTC place an item on the October 1, 2021 VCTC meeting agenda for a presentation from the VCCTR in regards to a proposed citizen's initiative to place a ½ cent sales tax for transportation on the 2022 ballot. Chair Long agreed to the request and, seeing no opposition from the Commission, staff agreed to place it on the agenda.

Subsequent to the meeting a commissioner inquired as to whether the proper protocol was followed in order to place the item on the agenda. In accordance with the Administrative Code Article IV section H, Agenda Items:

1. Under the agenda item "Commissioners Reports", at any meeting a member of the Commission may request an item be placed on the agenda for a future meeting. If approved by at least three (3) members voting on the request, it shall be placed on a future agenda.

In accordance with the Administrative Code it is recommended that a motion be considered to place the request from the Ventura County Citizens for Traffic Relief on a future agenda.