



SAN JOAQUIN COUNCIL OF GOVERNMENTS

Citizens Advisory Committee San Joaquin Council of Governments 555 East Weber Avenue, Stockton, California Hybrid Meeting

Citizens Advisory Committee Members

Ken Vogel (Chair)
AGRICULTURAL
INDUSTRY

Lauren Ab Tye (Vice Chair)
LEAGUE OF WOMEN
VOTERS

Gracie Marx
CITY OF ESCALON

Bobby Bivens
SAN JOAQUIN COUNTY

Paul Plathe
SIERRA CLUB

Blain Bibb
CITY OF STOCKTON

Richard Blackston
CITY OF LODI

Kelly Donahue
CITY OF RIPON

Michael Caromba
BUSINESS INDUSTRY

Jim Hilson
CITY OF LATHROP

Mary Kennedy-Bracken
CITY OF TRACY

LaCresia Hawkins
NAACP

Balwinder Singh
TRUCKING INDUSTRY

Steve DeBrum
CITY OF MANTECA

Jessica Bilecki
UNIVERSITY OF THE
PACIFIC

Jennifer Gass
TRANSIT ADVOCATE

SJCOG

Diane Nguyen
EXECUTIVE DIRECTOR

February 15, 2023
6:00 p.m.

<https://sjcog.zoom.us/j/82757750521?pwd=QkxITDEvZFowMExOd01wWIRtL3VrZz09>

Teleconference Number: 1-669-900-6833

Meeting ID: 827 5775 0521

Passcode: 467411

Note: If you don't have access to a smart device or a computer with a webcam & a mic, you can dial in using the teleconference number and meeting ID above.

Attention Callers: Please mute the call unless speaking

NOTICE **Coronavirus COVID-19**

In accordance with the Ralph M. Brown Act (Cal. Gov. Code § 54950 et seq.), as amended by Assembly Bill 361 (2021), The San Joaquin Council of Governments and staff will be participating in this meeting via teleconference or at 555 East Weber Avenue. Members of the public may attend in-person or may participate in the meeting electronically using the Zoom link. If participating using Zoom, please use the “raise hand” or chat feature to be recognized to speak.

We have also provided a call-in number, as identified on this Agenda, and encourage you to attend by telephone. To be recognized to speak, press *9 which will signal the moderator

The San Joaquin Council of Governments is in compliance with the Americans with Disabilities Act and will make all reasonable accommodations for the disabled to participate in employment, programs, and facilities. Persons requiring assistance or auxiliary aid in order to participate should contact Rosie Gutierrez at 209-235-0600 at least 24 hours prior to the meeting.

Note: All items are available for action by the committee. The right-hand column identifies staff recommendations.

AGENDA

1. Call to Order

2. Minutes: Minutes of January 18, 2023,

ACTION

3. Public Comments

At this time the public may address the CAC on any non-agenda item that is within the subject matter of this agency. A five-minute maximum time limit will apply to all public comments

4. Teleconference Meetings During a Proclaimed State of
Emergency (Tim Kohaya)

ACTION

5. Climate Public Education Campaign (verbal report)

DISCUSSION

6. Updates / Requests from the Committee

7. Adjournment

Adjourn the meeting to Wednesday, March 15, 2023, at 6:00 pm.

AGENDA ITEM 2



SAN JOAQUIN COUNCIL OF
GOVERNMENTS

Citizens Advisory Committee
555 East Weber Ave. Stockton, CA 95202

January 18, 2022

ACTION MINUTES

1) Call to Order

Ken Vogel called the meeting to order at 6:00 p.m. via Zoom teleconference.

Members Present in Person:

Ken Vogel (Chair), Agricultural Industry

Members Present via teleconference:

Lauren Ah Tye (Vice Chair), League of Women Voters; **Steve DeBrum**, City of Manteca; **Gracie Marx**, City of Escalon; **Bobby Bivens**, San Joaquin County; **Richard Blackston**, City of Lodi; **Paul Plathe**, Sierra Club; **Blain Bibb**, City of Stockton, **Michael Carouba**, Business Industry; **Jennifer Gass**, Transit Advocate; **Kelly Donahue**, City of Ripon; **Jim Hilson**, City of Lathrop; **Jessica Bilecki**, University of the Pacific

SJCOG Staff Present

Ryan Niblock, Deputy Director, Programming and Project Delivery; **Christine Corrales**, Senior Regional Planner; **Travis Yokoyama**, Senior Regional Planner; **Isaiah Anderson**, Assistant Regional Planner; **Joyce Yee**, Assistant Regional Planner, **Christine Tran**, Assistant Regional Planner; **Jay Halva**, Assistant Programming Analyst, **Angela Carranza**, CivicSpark Fellow

2) Minutes of November 16, 2022 and December 15, 2022

A motion was made and seconded (DeBrum, Hilson) to recommend approval of the minutes of Minutes of November 16, 2022 and December 15, 2022. Motion Passed unanimously.

3) Public Comments

None

4) Teleconferencing Meetings During a Proclaimed State of Emergency (Anderson)

Mr. Isaiah Anderson presented the item. AB361 requires that to have virtual meetings during

a state of emergency, public agencies and committees must adopt an initial resolution and thereafter an extension resolution (every 30 days) to continue having virtual meetings. These resolutions provide an exception to the Brown Act requirement of having physical location access. The resolutions must contain findings that either (1) the State of Emergency continues to directly impact the ability of the committee to meet safely in person; or (2) State or local officials continue to impose or recommend measures to promote social distancing.

A motion was made and seconded (Ah Tye, Carouba) to recommend approval of Resolution R-23-38 determining to conduct Citizens Advisory Committee meetings using teleconferencing pursuant to Government Code 54953 as amended by AB361 for the period January 18, 2022 to February 15, 2022. Motion Passed unanimously.

5) Stockton Mobility Collective Project Updates (Carranza)

Ms. Angela Carranza provided a presentation and verbal report. Ms. Carranza's presentation summarized the Sustainable Transportation Equity Project (STEP) grant program to address transportation inequity in California's most disadvantaged and low-income communities. The STEP grant funds the Stockton Mobility Collective (SMC) project, which provides transportation options for residents looking for clean, affordable ways to travel to jobs, schools, healthcare, grocery stores, and other key destinations. The project will have four main components: Carshare, e-bikeshare, mobility incentives and workforce development. This item was for information. Discussion and clarification was prompted by Carouba, DeBrum, Bivens, and Plathe.

6) Affordable Housing and Sustainable Communities (AHSC) (Tran)

Ms. Christine Tran provided an update. The AHSC program provides grants and loans to projects that achieve greenhouse gas emission reductions and benefit disadvantaged communities, low-income communities, and low-income households. Awarded projects provide access to affordable housing, employment centers, and incorporate improvements to transit, bicycling, or walking adjacent to the project site. The Round 7 Application and Notice of Funding Availability (NOFA) (expected to be \$750 million) is expected in January 2023 and will open a 90-day application window. Awards are expected to be presented to SGC for adoption in August 2023, with SGC staff seeking to inform applicants of their award status in time to plan for the Spring deadlines of the California Tax Credit Allocation Committee. This item was for information only.

7) SJCOG's Truck Planning Study – Draft Recommendations for STAA Designation (Halva)

SJCOG is soliciting input from this committee on the draft recommendations for the Surface Transportation Assistance Act (STAA) designations in San Joaquin County (STAA draft recommendations) of SJCOG's Truck Planning Study. The Truck Planning Study assesses and identifies gaps in the existing STAA region-wide truck route network, addresses potential funding sources, and recommends specific corridors for STAA designation. This study is meant to inform our jurisdictions of gaps in the STAA network that not only encourage truck

operators to use our draft recommendations (if implemented) but may also improve the roadway conditions (if the corridor is improved to be STAA compliant). This committee was introduced to this study in June 2021 as a discussion item to gather input on areas of concern. Since then, SJCOG has done extensive analysis and collaboration with our partners to develop a list of STAA draft recommendations. This list of STAA draft recommendations is separated into three tiers based on anticipated implementation cost and timeline: (1) Signage only projects, (2) Low near-term cost projects, and (3) Projects that require additional research, time, and resources to implement. SJCOG will be highlighting draft recommendations in Tier 1 and 2 projects for this committee. This item was for discussion only.

8) Updates/Requests from the Committee

Mr. DeBrum requested an acronym sheet to decipher commonly used acronyms.

The committee requested to reschedule the cancelled ACE train tour.

As part of the discussion on SMC Bikeshare there was a question about what California cities are using the bikes we have procured.

Notes about farebox returns and the success they have seen in the last couple of years.

Notes on pothole repair and allocating more funds to this considering recent storm events.

9) Adjournment

Meeting was adjourned at 7:06 pm.

AGENDA ITEM **3**



February 2023
Citizens Advisory Committee

STAFF REPORT

SUBJECT: **Continued Teleconference Meetings During a Proclaimed State of Emergency**

RECOMMENDED ACTION: **Approve Resolution R-23-97**

DISCUSSION:

SUMMARY:

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 prepare for a broader spread of COVID-19. The March 4, 2020, State of Emergency remains in effect.

On September 16, 2021, Governor Newsom signed Assembly Bill 361 (“AB 361”) into law, amending the Ralph M. Brown Act (Gov. Code, § 54950 *et seq.*) (the “Brown Act”). AB 361 codified certain modified requirements for teleconference meetings held by public agencies, similar to those previously authorized and extended by executive order during the COVID-19 State of Emergency.

On October 28, 2021, the SJCOG Board adopted Resolution Number R-22-17, finding that the requisite conditions existed for SJCOG’s legislative bodies to conduct remote teleconference meetings in accordance with the requirements of AB 361.

In conducting meetings under AB 361, SJCOG must continue to post its agenda in the time required by the Brown Act and ensure that the public is able to address the board directly through teleconference means. If a disruption prevents the agency or committee from broadcasting the meeting or receiving public comments in real time, the agency or committee cannot take further action until those functions are restored; any actions taken during such a disruption are subject to legal challenge. (*Id.*)

To continue conducting teleconference meetings in accordance with AB 361, the SJCOG Board (and its committees under the Brown Act) must make findings every 30 days that it has reconsidered the circumstances of the state of emergency and either:

- 1) The state of emergency continues to directly impact the ability of the members to meet safely in person, or
- 2) State or local officials continue to impose or recommend measures to promote social distancing.

Where consecutive regular meetings fall outside the 30-day time frame, the Board or committee should hold a special “AB 361” remote meeting within the 30-day window simply to re-authorize the AB 361 exceptions. Without the AB 361 exceptions, the Board or committee will be required to return to normal in-person meetings or provide public access at each remote location under the traditional teleconference rules, as of October 1, 2021. Therefore, if the AB 361 authorization lapses and the Board or a committee wishes to hold a teleconference meeting, it will be required to post agendas and provide public access at each remote location, identify those locations in the agenda, and maintain a quorum of the board within agency boundaries. If a meeting is not held in conformity with AB 361, board members may not teleconference from their residences or other locations which are not open and accessible to the public.

The attached Resolution acknowledges that the March 4, 2020, State of Emergency is currently in effect, and that the ongoing conditions of the State of Emergency directly impact the ability of SJCOG’s Board (or its committees) to meet safely in person.

If necessary, additional Resolutions making the requisite findings may be presented at future meetings for consideration. These Resolutions can be included and considered through the Board’s/committees consent calendar.

FISCAL IMPACT:

None.

ATTACHMENT:

Resolution R-23-97

Prepared by: Rod A. Attebery, General Counsel



RESOLUTION
SAN JOAQUIN COUNCIL OF GOVERNMENTS

R-23-97

A RESOLUTION OF THE CITIZENS ADVISORY COMMITTEE OF THE SAN JOAQUIN COUNCIL OF GOVERNMENTS (SJCOG) DETERMINING TO CONTINUE CONDUCTING MEETINGS OF THE SJCOG CITIZENS ADVISORY COMMITTEE USING TELECONFERENCING PURSUANT TO GOVERNMENT CODE 54953 AS AMENDED BY AB 361.

WHEREAS, the San Joaquin Council of Governments (“SJCOG”) is committed to preserving and nurturing public access and participation in meetings of the Citizens Advisory Committee; and

WHEREAS, all meetings of SJCOG’s legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District’s legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), as amended by AB 361 (2021), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, the SJCOG Citizens Advisory Committee previously adopted a Resolution, Number R-22-16 on October 20, 2021, finding that the requisite conditions exist for the legislative bodies of SJCOG to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Citizens Advisory Committee must make findings that the Citizens Advisory Committee has reconsidered the circumstances of the state of emergency, and that either the state of emergency continues to directly impact the ability of the members to meet safely in person, or State or local officials continue to impose or recommend measures to promote social distancing.

NOW, THEREFORE, BE IT RESOLVED, that the Citizens Advisory Committee approves:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. AB 361 Compliance. Citizens Advisory Committee began using teleconferencing in accordance with subdivision (e) of Section 54953 of the Government Code, as amended by AB

361, on October 20, 2021, and have made the requisite findings by majority vote not later than 30 days after October 20, 2021, and every 30 days thereafter.

Section 3. State of Emergency. The Citizens Advisory Committee hereby reconsiders the circumstances of the current State of Emergency proclaimed by the Governor on March 4, 2020, and find that the ongoing conditions of the State of Emergency, specifically that the dominant strain of COVID-19 in the country is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations, and therefore, meeting in person would present imminent risks to the health or safety of attendees and directly impact the ability of SJCOG members to meet safely in person.

Section 4. Measures to Promote Social Distancing. The Citizens Advisory Committee hereby finds that Cal-OSHA and the County Health Official continue to recommend measures to promote physical distancing.

Section 5. Remote Teleconference Meetings. The Executive Director of San Joaquin Council of Governments is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 6. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption

PASSED AND APPROVED this 15th day of February 2023, by the following votes of the San Joaquin Council of Governments, to wit;

AYES:

NOES:

ABSENT:

KEN VOGEL, Chair