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**Category: GENERAL & ADMINISTRATIVE****HYBRID MEETINGS POLICY****I. PURPOSE**

To establish standard procedure for conducting public Silicon Valley Clean Energy (SVCE) hybrid meetings following the termination of Governor Newsom's COVID-19 State of Emergency.

**II. SCOPE**

SVCE Board and Committee meetings subject to the Ralph M. Brown Act.

**III. DEFINITIONS**

"Hybrid meetings" shall mean meetings which allow participation of Board/Committee members, staff, and the public in person or via teleconferencing.

"Publicly accessible" shall mean a location in which a member of the public may attend a meeting and provide public comment.

"Teleconference" shall mean a meeting of individuals in different locations, connected by electronic means, through either audio or video, or both.

**IV. POLICY**

Following Governor Newsom's termination of the COVID-19 State of Emergency, SVCE meetings will follow the below policy.

Board meetings will be held at Cupertino Community Hall or other location as noticed; public committee meetings will be held at SVCE offices, unless otherwise noticed.

Board/Committee members may participate in meetings in person or via teleconference.

Teleconference meetings must meet the following requirements:

1. Each teleconference location must be identified in the notice and agenda of the meeting.
2. Agendas must be posted at each teleconference location.
3. Each location must be publicly accessible.

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4. At least a quorum of the Board of Directors must participate from locations within SVCE's service territory.

If participating via teleconference, the publicly accessible location of participating board/committee members should be provided to the Board Clerk one week in advance of the meeting to allow for proper noticing on the meeting agenda.

Board members are encouraged to connect with their Alternate Directors in the event they are not able to attend a Board of Directors meeting.

**Exercising AB 2449**

Board/Committee members may exercise the use of AB 2449 to participate remotely for the following reasons:

**"Just Cause" –**

- Childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse or domestic partner.
- A contagious illness.
- Travel on official businesses of the legislative body or another state/local agency (if you are traveling for other business or recreational purposes, this would not constitute a just cause).

To participate remotely for "just cause," the member must notify the Board Clerk, who will notify the SVCE Board of Directors/committee members, at the earliest opportunity possible of the need to participate remotely. The member must provide a general description of the circumstances relating to their need to appear remotely.

A member may not participate remotely for "just cause" for more than two meetings per calendar year.

The Board Clerk will communicate with the requesting Board member whether the requested remote participation meets the requirements of AB 2449.

**"Emergency" Situations –**

An "emergency" means a physical or family medical emergency that prevents a member from attending in person.

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To participate remotely for an emergency, the member must make a request at the earliest opportunity to the Board Clerk, who will notify the SVCE Board of Directors/committee members. The request must include a general description of the circumstances related to the need to appear remotely. A request must be made before each meeting at which the member will participate remotely.

The legislative body must take action to approve the request.

If the request is made too late to appear as an action item on the agenda, the SVCE Board of Directors may consider the request at the beginning of the meeting.

**Requirements, Disclosures, and Limitations****Quorum and Audio and Visual Technology Requirement**

At least a quorum of the members of the SVCE's Board of Directors/Committee members must participate in person at a singular physical location, which is within the agency's jurisdiction, at which the public can attend.

The member must participate through both audio and visual technology.

**Disclosures**

The member who is participating remotely must disclose whether anyone over the age of 18 is physically present and the general nature of the relationship with such person.

**Limitations**

A member cannot participate in a meeting using AB 2449 more than 3 consecutive months or 20% of the regular meetings of the agency within a calendar year. If a committee meets fewer than 10 times per calendar year, the limit is two meetings. For most SVCE Committees, the AB 2449 limit is two meetings per calendar year.

**Please note the use of AB 2449 is not guaranteed if the above requirements cannot be met.**