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February 25, 2025

The Honorable Maria Elena Durazo
Chair, Senate Local Government Committee
State Capitol, Room 407
Sacramento, CA 95814
Transmitted via Electronic Mail

**RE: SB 239 (Arreguín) Brown Act – Subsidiary Body Teleconferencing
– SUPPORT and REQUEST AMENDMENTS**

Dear Chair Durazo:

On behalf of the City/County Association of Governments of San Mateo County, I write in **SUPPORT of SB 239 (Arreguín)** which would provide the ability for certain local bodies to meet remotely if certain procedures are followed. As currently constituted, the Brown Act casts a wide net when it comes to defining legislative bodies and this bill would provide additional flexibility for subsidiary bodies acting in strictly an advisory capacity. While we very much appreciate the additional flexibility this bill provides, C/CAG is requesting **an amendment to strike subdivision (f)** of the bill to allow local elected officials to also participate remotely in subsidiary body meetings not involving financial matters, without the need to post their location or open their remote locations to the public.

C/CAG, as part of its organizing structure, has several subsidiary bodies that would fall under the remote work structure created by this bill to help guide its work, such as the Congestion Management Program Technical Advisory Committee and the Bicycle and Pedestrian Advisory Committee, which consist of local elected officials, city government employees, and members of the public, most of whom work outside jobs unrelated to the effort they contribute to C/CAG to better San Mateo County.

C/CAG and other agencies in California have subsidiary bodies with both elected and non-elected members. As written, the bill would have different remote participation standards that would create a negative dynamic on

subsidiary bodies that have both elected officials and members of the community. **Having two separate attendance requirements for advisory body members could preclude the elected official members from using AB 2449.**

For example, the C/CAG Bicycle and Pedestrian Committee (BPAC) has 8 seats for elected officials and 7 seats for community members. If all community members participated remotely under SB 239, none of the elected officials could use AB 2449 to care for a sick child because AB 2449 requires a quorum (8 in this example) to be physically present at one location.

C/CAG also requests that the legislative body have the statutory authority under Section 12(c) for flexibility to require that some of the regular meetings be scheduled as in person meetings.

Providing the requested additional flexibility for these non-decision-making subsidiary body members to continue to meet remotely while maintaining agenda notification requirements and virtual public access will enable C/CAG and other local agencies to enhance participation from well-qualified, interested individuals while allowing participating individuals to maintain personal commitments related to their work, school, and their families. This bill will also encourage more public participation and result in cost savings to local agencies.

For these reasons, C/CAG asks that you please support SB 239 when it is heard in your committee and appreciates your consideration of our requested amendment. Please contact Sean Charpentier, C/CAG Executive Director at scharpentier@smcgov.org if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam Rak', written in a cursive style.

Adam Rak, Chair
City/County Association of Governments of San Mateo County