

**Ventura County Medi-Cal Managed Care Commission (VCOMMCC)
dba Gold Coast Health Plan**

Community Advisory Committee Meeting

Special Meeting

Wednesday, November 17, 2021 3:00 p.m.

Due to the public health emergency, the Community Room at Gold Coast Health Plan is currently closed to the public.

The meeting is being held virtually pursuant to AB 361.

Members of the public can participate using the Conference Call Number below.

Conference Call Number: 1-805-324-7279

Conference ID Number: 562 125 346#

Para interpretación al español, por favor llame al: 1-805-322-1542 clave: 1234

Due to the declared state of emergency wherein social distancing measures have been imposed or recommended, this meeting is being held pursuant to AB 361.

AGENDA

CALL TO ORDER

ROLL CALL

PUBLIC COMMENT

The public has the opportunity to address the Community Advisory Committee (CAC) on the agenda.

Persons wishing to address the CAC are limited to three (3) minutes unless the Chair of the Committee extends time for good cause shown. Comments regarding items not on the agenda must be within the subject jurisdiction of the Committee.

Members of the public may call in, using the numbers above, or can submit public comments to the Committee via email by sending an email to ask@goldchp.org. If members of the public want to speak on a particular agenda item, please identify the agenda item number. Public comments submitted by email should be under 300 words.

FORMAL ACTION

1. AB 361, Brown Act Virtual Meetings

Staff: Scott Campbell, General Counsel

RECOMMENDATION: It is recommended that the following findings be made: That the Community Advisory Committee has reconsidered the circumstances of the state of the Covid-19 emergency and finds that state and local officials have imposed or recommended social distancing measures in connection with Covid-19 and that meeting in person would pose an imminent risk to the health and safety of attendees.

2. Community Advisory Committee (CAC) Amended Meeting Calendar for 2022, including special meetings to comply with AB 361.

Staff: Deborah Munday, CMC – Assistant Clerk to the Commission

RECOMMENDATION: Approve the amended meeting calendar for 2022 as presented.

COMMENTS FROM COMMITTEE MEMBERS

3. CAC Feedback / Roundtable Discussion

PUBLIC COMMENT

ADJOURNMENT

Date and location of the next meeting to be determined at the November 17, 2021 meeting.

Administrative Reports relating to this agenda are available at 711 East Daily Drive, Suite #106, Camarillo, California, during normal business hours and on <http://goldcoasthealthplan.org>. Materials related to an agenda item submitted to the Committee after distribution of the agenda packet are available for public review during normal business hours at the office of the Clerk of the Commission.

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact (805) 437-5512. Notification for accommodation must be made by the Monday prior to the meeting by 1:00 p.m. to enable the Clerk of the Commission to make reasonable arrangements for accessibility to this meeting.

AGENDA ITEM NO. 1

TO: Community Advisory Committee

FROM: Scott Campbell, General Counsel

DATE: November 17, 2021

SUBJECT: Findings to Hold Remote Teleconference/Virtual Committee Meetings Pursuant to Assembly Bill 361

SUMMARY/RECOMMENDATION:

That if the Community Advisory Committee (“Committee”) of the Ventura County Medical Managed Care Commission dba as Gold Coast Health Plan desires to continue to meet virtually, without posting the agenda at each location from where Commissioner attends, the Committee must make findings authorizing remote teleconference/virtual meetings of the Committee pursuant to Assembly Bill 361 based on the ongoing COVID-19 pandemic. After discussions at the October 27th Committee meeting, the Committee asked that this item be brought back. It is recommended that the Committee determine that the COVID-19 state of emergency proclaimed by the Governor still exists and has been considered by the Committee in deciding to have teleconference meetings. Further it is recommended that both of the additional findings be made: that state or local officials have imposed or recommended measures to promote social distancing in connection with COVID-19, and that as result of the COVID-19 emergency, meeting in person would present imminent risks to the health or safety of attendees. Because these finding must be made every thirty (30) days, the Committee would have to schedule additional meetings for the purpose of making the findings going forward if it desires to meet without the requirement of posting the agenda at each location and allowing members of the public to attend from any of the posted locations.

BACKGROUND/DISCUSSION:

The Brown Act generally allows for teleconference or virtual meetings, provided that the physical locations of the legislative body’s members joining by teleconference are posted on the agenda, that those locations are open to the public and that a quorum of the members is located within its jurisdiction. Newly enacted AB 361 provides an exception to these procedures in order to allow for fully virtual meetings during proclaimed emergencies, including the COVID-19 pandemic.

Since March of 2020 and the issuance of Governor Newsom’s Executive Order N-29-20, which suspended portions of the Brown Act relating to teleconferencing, the Committee has had virtual meetings without having to post the location of the Committee members attending virtually. Most cities and other public agencies have been holding public meeting using virtual platforms since this time. In June of 2021, Governor Newsom issued

Executive Order N-08-21, which provided that the exceptions contained in EO N-29-20 would sunset on September 30, 2021.

On September 10, 2021, the Legislature adopted AB 361, which allows public agencies to hold fully virtual meetings under certain circumstances without the posting of the agenda from each location a legislative body member is attending. Governor Newsom signed the bill into law on September 16, 2021. Because it contained an urgency provision, it took immediate effect.

Specific Findings Required under AB 361

Under AB 361, the Committee can hold meetings without a public meeting space and without providing notice of the body's teleconference locations, if the Committee makes the determination that there is a Governor-proclaimed state of emergency which the Committee considers in its determination, and one of two secondary criteria listed below exists:

1. State or local officials have imposed or recommended measures to promote social distancing in connection with COVID-19; or
2. The Committee determines that requiring a meeting in person would present an imminent risk to the health and safety of attendees.

COVID-19 continues to present an imminent threat to the health and safety of Committee members, and its personnel, and the Governor's declaration of a COVID-19 emergency still exists. Although vaccines are now widely available, many people in the State and County are still not fully vaccinated and remain susceptible to infection. The disease can still spread rapidly through person-to-person contact and those in close proximity. Further, more contagious variants of the disease are now present in the State and County, the most predominant of which is the Delta variant. Additionally, many Committee members hold meetings in medical facilities and allowing members of the public to attend meetings at these posted locations when they may not be vaccinated may pose a threat to the health and safety and attendees.

Re-Authorization is Required Every 30 Days

Consistent with the provisions of Government Code Section 54953(e)(3), the findings listed above must be made every 30 days "after teleconferencing for the first time" under AB 361. Thus, if the Committee desires to continue to meet remotely without having to post the location of each teleconference location, the Committee must find that the COVID-19 emergency still exists and that one of the two following findings can be made: that state or local officials have imposed or recommended measures to promote social distancing in connection with COVID-19, or, that a result of the COVID-19 emergency, meeting in person would present imminent risks to the health or safety of attendees.

The Committee may extend the authorization for an additional thirty (30) days via another staff report on a consent calendar that makes the above specific findings in support of continuing virtual meetings. Doing this would require the scheduling of monthly meetings for the purpose of extending this authorization.

It is important to note that AB 361 is optional. If the Committee wishes, it may choose to meet fully in person and open to the public or meet remotely with notices of the agenda posted at each location and access to the public at each noticed location. The authorization under AB 361 is intended to provide the option to utilize the AB 361 procedures in lieu of the Brown Act's standard teleconferencing requirements. A consent calendar item will be placed on each agenda to reauthorize remote meetings if that is the Committee's direction. In the event that a regularly scheduled Committee meeting is more than thirty (30) days after an authorization under AB 361 has been made by the Committee, and the Committee desires to continue to hold virtual meetings under AB 361, the Committee may hold a special meeting for the purpose of making the reauthorization.

Lastly, the Committee is a legislative body under the Brown Act, and we believe that AB 361 applies to the Committee. The Commission has made similar findings.

CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION:

As noted above, AB 361 is optional. If the Committee wishes, it may choose to meet fully in person, or meet remotely with notices of the agenda posted at each location and access to the public at each noticed location. However, to continue to hold remote teleconference/virtual Committee meetings, the Committee must make the specific findings required by AB 361 as they are enumerated in this staff report to allow meetings to continue without the requirement of posting the agenda at each location and allowing members of the public to attend from any of the posted locations.

FOLLOW UP ACTION:

Potentially scheduling special meetings every thirty (30) days to extend this authorization.

ATTACHMENT:

None.

AGENDA ITEM NO. 2

TO: Community Advisory Committee
FROM: Deborah Munday, CMC – Assistant Clerk to the Commission
DATE: November 17, 2021
SUBJECT: Approval of the Amended 2022 Community Advisory Committee Meeting Calendar

SUMMARY:

This item will establish dates for the Community Advisory Committee (Committee) meetings for 2022. In order to comply with AB 361, the Committee has to meet every thirty days to continue to have virtual meetings without posting at each location a Committee member will be present. This was the direction of the Committee at the October 27th meeting. The following schedule has quarterly regular meetings. The other meetings will be special meetings which are expected to last 5 minutes and will consist of making the findings required by AB 361.

Regular Community Advisory Committee Meetings

Time: 4:00 – 6:00 pm

Dates: Wednesday, January 26, 2022
Wednesday, April 27, 2022
Wednesday, July 27, 2022
Wednesday, October 26, 2022

Special Community Advisory Committee Meetings

Time: 4:00 – 4:30 pm

Dates: Wednesday, December 15, 2021
Wednesday, January 12, 2022
Wednesday, February 23, 2022
Wednesday, March 23, 2022
Wednesday, April 13, 2022
Wednesday, May 25, 2022
Wednesday, June 22, 2022
Wednesday, July 13, 2022
Wednesday, August 24, 2022
Wednesday, September 21, 2022
Wednesday, October 12, 2022
Wednesday, November 16, 2022
Wednesday, December 14, 2022

RECOMMENDATION:

Approve the Amended 2021 and 2022 Community Advisory Committee meeting calendars as presented.

ATTACHMENTS:

Copies of Amended 2021 and 2022 Community Advisory Committee Meeting Calendars.



2021

Community Advisory Committee Meetings

CAC Regular Mtg 4-6 pm

CAC Special Mtg 4-4:30PM

January						
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2022

Community Advisory Committee Meetings

CAC Regular Mtg, 4-6 PM
CAC Special Mtg, 4-4:30 PM

January						
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