

Agenda Item B-2

MARIN EMERGENCY RADIO AUTHORITY

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MEMORANDUM

DATE: July 14, 2010

TO: MERA Executive Committee

FROM: Maureen Cassingham, Executive Officer

SUBJECT: AGENDA ITEM **B-2**: REPORT ON PROCEDURES FOR OFF-SITE VOTING

Recommended Action: Recommend Board receive and file the Report on Procedures for Off-Site Voting.

Background: In the recent past, several MERA Board Members have inquired about the procedures and legal requirements for voting at meetings where they cannot be physically present and quorums may be in jeopardy and/or critical matters are agendaized. MERA General Counsel Jim Karpiak has provided the following information regarding teleconferencing for future guidance.

“The following is from the RWG Brown Act Manual:

‘Teleconferencing’ may be used as a method for conducting meetings whereby members of a legislative body may be counted towards a quorum and participate fully in the meeting from remote locations. If a member participates in a meeting via teleconferencing, the following requirements apply: (1) the remote locations must be connected to the main meeting location by telephone, video or both; (2) the notice and agenda of the meeting must identify the remote locations; (3) the remote locations must be posted and accessible to the public; (4) all votes must be by roll call; and (5) the meeting must in all respects comply with the Brown Act, including participation by members of the public present in remote locations. A quorum of the legislative body must participate from locations within the jurisdiction, but other members may participate from outside the jurisdiction. The teleconferencing rules only apply to members of the legislative body. Staff members, attorneys, or consultants may participate remotely without following the posting and public access requirements of the teleconferencing rules. See Government Code Section 54953.”

Given this information, which clearly demonstrates the difficulties in using teleconferencing, when a Member cannot attend a MERA meeting and wishes his/her agency to be represented, it is easier for that member to work with his/her first or second alternate to be present.