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**Special Meeting of the  
Yosemite Area Regional Transportation System (YARTS)  
Joint Powers Authority**

**LOCATION:**

Meeting held via teleconference/webinar at:

<https://zoom.us/join>

Webinar ID: 879 7191 1293

Webinar Passcode: 36918

For audio only:

1-669-900-6833

Public comment is available via teleconference/webinar

**Date:**

Monday, November 15, 2021

**Time:**

1:00 p.m.

**Joint Powers Authority Members**

Director Bob Gardner, Chair	Mono County Supervisor
Director Kathleen Haff, Vice Chair	Tuolumne County Supervisor
Director Ryan Campbell	Tuolumne County Supervisor
Director Stacy Corless	Mono County Supervisor
Director Brett Frazier	Madera County Supervisor
Director Daron McDaniel	Merced County Supervisor
Director Miles Menetrey	Mariposa County Supervisor
Director Scott Silveira	Merced County Supervisor
Director Rosemarie Smallcombe	Mariposa County Supervisor
Director Tom Wheeler	Madera County Supervisor
Director Rey Leon	Mayor, City of Huron
Director Michelle Roman	Mayor, City of Kingsburg

## Welcome to the YARTS Joint Powers Authority Meeting

### AGENDA

At least 72 hours prior to each regular YARTS JPA meeting, a complete agenda packet is available for review on the YARTS website at [www.yarts.com](http://www.yarts.com) or at the Merced County Association of Governments (MCAG) office, 369 W. 18<sup>th</sup> Street, Merced, CA 95340. All public records relating to an open session item and copies of staff reports or other written documentation relating to items of business referred to on the agenda are on file at MCAG. Persons with questions concerning agenda items may call MCAG to make an inquiry regarding the nature of items described on the agenda.

### PUBLIC COMMENT

Members of the public wishing to address agenda items or comment on any item not on the agenda may do so during agenda item 3 – Public Comment. Persons may also address any item on the agenda during consideration of that item. Comments are limited to three (3) minutes per person. To be recognized to speak from your smartphone, tablet or computer, please use the ‘raise your hand’ feature on Zoom. If you are participating by phone only, please press \*9 to alert the moderator of your desire to speak. Please state your name and city or community of residence for the record. For items not on the agenda, no action will be taken. If it requires action, the item will be referred to staff and/or placed on the next agenda.

### INDIVIDUALS WITH DISABILITIES

Representatives or individuals with disabilities should contact YARTS at (209) 723-3111 at least three (3) days in advance of the meeting to request auxiliary aids or other accommodations necessary to participate in the public meeting.

### INTERPRETING SERVICES

Interpreting services are not provided at YARTS public meetings unless requested at least three (3) business days in advance. Please call YARTS at (209) 723-3111 during regular business hours to request interpreting services.

Servicios de intérprete no son ofrecidos en las juntas públicas de YARTS al menos de que se soliciten tres (3) días de negociación en anticipación. Para solicitar estos servicios por favor contacte a MCAG al (209) 723-3111 durante horas de oficina.

1. **Call to order**

- a. Roll Call
- b. Pledge of Allegiance

Alexandra Arroyo  
Chair or Designee

2. **Action item:**

*This action item will be considered separately by the Board.  
Public comment will be available during each item.*

- + a. Affirm adoption of Resolution No. 2021/10-18-02  
authorizing the YARTS Governing Board to hold virtual  
meetings in accordance with AB 361

Mary-Michal Rawling Pg. 5

3. **Public comment**

*Public comment is available during the meeting. See  
instructions for public comment on page 2 of the agenda  
packet.*

4. **Adjournment****Next Meeting:**

The next YARTS Joint Powers Authority special meeting to be held Monday, December 13, 2021 at 1:00 p.m.  
via teleconference.

I certify under penalty of perjury under the laws of the State of California that the foregoing agenda was  
posted at the Merced County Association of Governments not less than 72 hours prior to the meeting.

Xavier Garcia, Staff Services Analyst

Dated this November 10, 2021

# ITEM 2a



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DATE: November 15, 2021

TO: Joint Powers Authority

FROM: Mary-Michal Rawling, Public Affairs Manager

RE: Action: Affirm adoption of Resolution No. 2021/10-18-02 authorizing the YARTS Governing Board to hold virtual meetings in accordance with AB 361

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**SUMMARY**

The Governing Board must take action in order to continue to meet virtually under new state law AB 361.

**REQUESTED ACTION**

Affirm the adoption of Resolution No. 2021/10-18-02 declaring the Governing Board’s need to continue to meet virtually in accordance with AB 361 and provide direction to staff on the Governing Board’s preferences for future meetings.

**BACKGROUND**

In March 2020, Governor Newsom issued Executive Order N-29-20 waiving certain elements of the Brown Act through September 2021. This order essentially allowed legislative bodies to conduct public meetings in a virtual format, such as teleconference.

In September, Governor Newsom signed AB 361 into law went into effect October 1, 2021 and allows for the practice of holding public meetings via revised teleconference procedures to continue under certain circumstances. These include a declaration that must be made every 30 days by the legislative body that meeting in-person would present an imminent danger to those in attendance. It is important to note that all provisions of AB 361 only apply during a state-declared emergency that directly threatens the safety of the agency members, staff, or the public.

**PAST ACTION TAKEN**

October 18, 2021: Governing Board adopted Resolution No. 2021/10-18-02.

**DISCUSSION**

Pursuant to AB 361 the YARTS Governing Board must take action to uphold the findings of Resolution No. 2021/10-18-02 in order for the legislative body, and all of its advisory committees, to continue to hold public meetings in a virtual setting.

**FISCAL IMPACT**

None.

**REQUESTED ACTION**

Affirm the adoption of Resolution No. 2021/10-18-02 declaring the Governing Board's need to continue to meet virtually in accordance with AB 361 and provide direction to staff on the Governing Board's preferences for future meetings.

**STAFF CONTACT**

For further information, please contact Mary-Michal Rawling, Public Affairs Manager at [mary-michal.rawling@mcagov.org](mailto:mary-michal.rawling@mcagov.org) or (209) 723-3153 x119.

**ATTACHMENT**

Resolution No. 2021/10-18-02

**RESOLUTION No. 2021/10-18-02**

**RESOLUTION OF THE YOSEMITE AREA REGIONAL TRANSPORTATION SYSTEM (YARTS)  
GOVERNING BOARD DECLARING THE NECESSITY OF VIRTUAL MEETINGS UNDER THE  
BROWN ACT AND AB 361.**

The YARTS Governing Board finds and resolves as follows:

**WHEREAS**, the COVID-19 pandemic has substantially impacted the ability of legislative bodies to safely meet in person; and

**WHEREAS**, Governor Gavin Newsom declared a state of emergency due to the rapid spread of COVID-19 on March 4, 2020, which remains in place today;

**WHEREAS**, state and local officials continue to recommend measures to promote social distancing; and

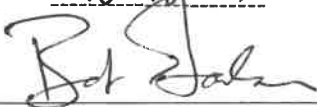
**WHEREAS**, the YARTS Governing Board has considered the circumstances of the existing state of emergency; and

**WHEREAS**, the COVID-19 pandemic continues to directly impact the ability of members and the public to meet safely in person.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

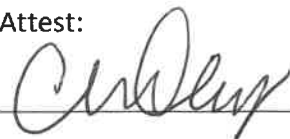
The YARTS Governing Board finds that meeting in person would present an imminent risk to the health and safety of attendees and that the YARTS Governing Board is authorized to hold teleconference meetings as proscribed in Government Code Section 54953(e)(2).

Dated: 10-18-21



Bob Gardner  
YARTS Chair

Attest:



Recording Secretary