Legislation Text

File #: 2021-1105, **Version:** 1

To: Board of Supervisors
Department or Agency Name(s): Health Services, County Counsel
Staff Name and Phone Number: Dr. Sundari Mase, Sonoma County Public Health Officer and Linda Schiltgen, Deputy County Counsel
Vote Requirement: Majority
Supervisorial District(s): Countywide

Title:
Continue to Authorize Teleconferencing to Ensure Safe Public Participation in Local Government Meetings

Recommended Action:
Continue to authorize teleconference meetings of the Board of Supervisors of the County of Sonoma, Board of Directors of the Agricultural Preservation and Open Space District, Board of Directors of the Sonoma County Water Agency, Board of Commissioners of the Community Development Commission, and all other public entities for which the Board of Supervisors Acts as Board of Directors or Commissioners, the Sonoma Valley County Sanitation District (collectively referred to as "Board of Supervisors"), and on behalf of commissions and committees created by the Board of Supervisors pursuant to Government Code section 54952(b) in compliance with AB 361 to continue to allow members of the public to safely participate in local government meetings.

Executive Summary:
Governor Newsom signed Assembly Bill 361 (AB 361) on September 16, 2021, which amends the Ralph M. Brown Act to provide additional provisions that allow meetings of legislative bodies to continue to be conducted via teleconference. On September 28, 2021, the Board of Supervisors adopted Resolution 21-0399 to make the findings to confirm that current conditions allow teleconference meetings pursuant to AB 361 for the Board of Supervisors and on behalf of all of the commissions and committees created by the Board of Supervisors pursuant to Government Code section 54952(b).

This board item confirms that those conditions continue to exist and teleconferencing will allow members of the public to safely observe and participate in local government meetings during the continued pandemic.

Discussion:
AB 361 comes as the provisions of Executive Order No. N-29-20 (as revised by Executive Order No. N-08-21), which modifies the requirements for the conduct of meetings via teleconference during the COVID-19 pandemic, are set to expire on September 30, 2021.

AB 361 allows a local agency legislative body to hold a meeting utilizing teleconferencing without complying with the standard teleconferencing requirements if the Governor has proclaimed a State of Emergency and if the local Public Health Officer continues to recommend social distancing measures to protect the public's health and safety during local government meetings. These conditions continue to exist.

Governor Newsom's March 4, 2020 Proclamation of Emergency related to the COVID-19 pandemic is still in

effect. In addition, the Sonoma County Public Health Officer continues to recommend teleconferencing or social distancing to protect the public's health and safety during local government meetings. This board item confirms that the conditions continue to exist to allow Resolution 21-0399's continued authorization of teleconferencing of meetings in compliance with AB 361.

If a meeting is held via teleconference under AB 361, the following requirements apply:

- Notice of the meeting must continue to be given in compliance with the Brown Act.
- The notice must continue to include the means by which the public may access the meeting and provide public comment.
- The public must continue to have access to the meeting via a call-in option or internet-based service option. The agency does not have to provide an in-person option for the public to attend.
- Staff should continue to check the broadcast and the ability to take call-in or internet-based public comment to confirm the public has continued access.

Prior Board Actions:
On September 28, 2021 the Board adopted a concurrent resolution of the Board of Supervisors of the County of Sonoma, Board of Directors of the Agricultural Preservation and Open Space District, Board of Directors of the Sonoma County Water Agency, Board of Commissioners of the Community Development Commission, and all other public entities for which the Board of Supervisors Acts as Board of Directors or Commissioners, the Sonoma Valley County Sanitation District (collectively referred to as "Board of Supervisors"), and on behalf of commissions and committees created by the Board of Supervisors pursuant to Government Code section 54952(b) authorizing teleconference meetings in compliance with AB 361 to continue to allow members of the public to safely participate in local government meetings.

FISCAL SUMMARY

Expenditures	**FY 21-22 Adopted**	**FY 22-23 Projected**	**FY 23-24 Projected**
Budgeted Expenses			
Additional Appropriation Requested			
Total Expenditures			
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
Total Sources			

Narrative Explanation of Fiscal Impacts:
There are no fiscal impacts associated with this item.

Staffing Impacts:			
Position Title (Payroll Classification)	**Monthly Salary Range (A-I Step)**	**Additions (Number)**	**Deletions (Number)**

Narrative Explanation of Staffing Impacts (If Required):
N/A

Attachments:
Attachment 1 - Sonoma County Public Health Officer Recommendation to Continue to Use Teleconferencing for Local Government Meetings

Attachment 2 - Brown Act Teleconferencing Resolution No. 21-0399

Related Items "On File" with the Clerk of the Board:
None