



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #: 22-1209 **Name:** Consider Making an AB 361 Finding
Type: General Agenda Item **Status:** Agenda Ready
File created: 12/20/2022 **In control:** Parks Commission
On agenda: 1/12/2023 **Final action:**
Title: Consider finding, pursuant to AB 361 and in order for the Monterey County Parks Commission to continue meeting remotely, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; the Parks Commission has reconsidered the circumstances of the state of emergency; and the Monterey County Health Officer continues to recommend social-distancing measures for meetings of the legislative bodies.

Sponsors:

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Code sections:

Attachments: 1. Parks Commission AB 361 Report

Date	Ver.	Action By	Action	Result
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Consider finding, pursuant to AB 361 and in order for the Monterey County Parks Commission to continue meeting remotely, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; the Parks Commission has reconsidered the circumstances of the state of emergency; and the Monterey County Health Officer continues to recommend social-distancing measures for meetings of the legislative bodies.

RECOMMENDATION:

It is recommended that the Monterey County Parks Commission consider finding, pursuant to Assembly Bill (AB) 361 and in order for the Monterey County Parks Commission to continue meeting remotely, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; the Parks Commission has reconsidered the circumstances of the state of emergency; and the Monterey County Health Officer continues to recommend social-distancing measures for meetings of the legislative bodies.

SUMMARY/DISCUSSION:

On September 6, 2021, Governor Newsom signed Assembly Bill (AB) 361. This legislation amends the Brown Act to allow meeting bodies subject to the Brown Act to meet via teleconference during a proclaimed state of emergency in accordance with teleconference procedures established by AB 361 rather than under the Brown Act's more narrow standard rules for participation in a meeting by teleconference. AB 361 provides that if a state or local health official recommends social distancing, a legislative body may meet remotely after September 30, 2021, provided that within 30 days of the first meeting after September 30, and every 30 days thereafter, the legislative body finds: 1) the Governor's proclaimed state of emergency is still in effect; 2) the legislative body has reconsidered the circumstances of the state of emergency, and 3) the Monterey County Health Officer continues to recommend social-distancing measures for meetings of legislative bodies or the state of emergency continues to directly impact the ability of the members to meet in person.

The Monterey County Health Officer continues to recommend social-distancing measures for meeting of legislative bodies. In order to authorize this remote meeting and any meetings in the next 30 days, the Parks Commission must make the findings outlined above.

Accordingly, staff recommends making the appropriate findings. This action will be required every 30 days in order to keep meeting remotely; a special meeting will be necessary for that purpose.

Prepared by: Bryan Flores, Chief of Parks

Approved by: Randell Y. Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities, & Parks