Legislation Details (With Board Report)

File #:	23-007	**Name:**	All Committee Staff AB 361 01/10/2023
Type:	General Agenda Item	**Status:**	Scheduled PM
File created:	1/3/2023	**In control:**	Joint Meeting of Certain Board of Supervisors Standing Committees (full list included below)
On agenda:	1/10/2023	**Final action:**	

Title: Consider finding, pursuant to AB 361 and in order for Board of Supervisors Standing Committees to continue meeting remotely, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; the Committees have 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:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Completed Board Order Item No. 1 JMBOSSC

Date	Ver.	Action By	Action	Result
1/10/2023	1	Joint Meeting of Certain Board of Supervisors Standing Committees (full list included below)		

Consider finding, pursuant to AB 361 and in order for Board of Supervisors Standing Committees to continue meeting remotely, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; the Committees have 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 Board of Supervisors Standing Committees find, pursuant to AB 361 and in order for the Board of Supervisors Standing Committees to continue meeting remotely, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; the Committees have 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 16, 2021, Governor Newsom signed 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) either 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 has recommended social distancing measures for meetings of legislative

bodies, so the Standing Committees of the Board of Supervisors that met in October were able to meet remotely. In order to continue meeting remotely, the Standing Committees 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 may be necessary for that purpose.

OTHER AGENCY INVOLVEMENT:
The CAO concurs in the recommendation.

FINANCING:
The only financial impact is the continuing cost of teleconferencing.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:
__Economic Development
X Administration
__Health & Human Services
__Infrastructure
X Public Safety

Prepared and Approved by:

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Leslie J. Girard, County Counsel   Ext. 5365

Attachments:
Board Report