RESOLUTION NO. 21-12

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE LOS ALTOS HILLS COUNTY FIRE DISTRICT MAKING FINDINGS PURSUANT TO ASSEMBLY BILL 361

WHEREAS, on September 16, 2021, the Governor signed Assembly Bill 361 authorizing a legislative body subject to the Ralph M. Brown Act ("Brown Act") to continue to meet remotely using teleconference without compliance with the Brown Act teleconference rules if certain conditions are followed including (l) initially the existence of a proclaimed state of emergency and (2) requirements or recommended measures from state or local officials to promote social distancing;

WHEREAS, as of the date of this Resolution, the Proclamation of State of Emergency issued by the Governor on March 4, 2020 is in place**;**

WHEREAS, on September 21, 2021, the Santa Clara County Health Officer issued a recommendation that public bodies continue to meet remotely due to their unique characteristics (such as the increased mixing associated with bringing together people from across the community, the need to enable those who are immunocompromised or unvaccinated to be able to safely continue to fully participate in public governmental meetings, and the challenges with fully ascertaining and ensuring compliance with vaccination and other recommendations at such meetings);

WHEREAS, the Santa Clara County Health officer's recommendation is attached to this Resolution; and,

WHEREAS, the District has an important governmental interest in protecting the public health, safety, and welfare of those who participate in meetings of the District during COVID-19 and ensuring that all members of the public can participate safely in meetings of legislative bodies.

NOW, THEREFORE, the Board of Commissioners of the Los Altos Hills County Fire District resolves as follows:

1. Pursuant to Government Code section 54953(e)(3), the Board finds that a state of emergency continues to exist relating to COVID-19 and this necessitates that the Board continue to meet remotely; and

2. The County Health Officer has recommended that legislative bodies continue to meet remotely to promote social distancing as one means to reduce the risk of COVID-l9 transmission.

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3. County Counsel and the Clerk of the District are directed to take such other necessary or appropriate actions to implement the intent and purposes of this resolution.

REGULARLY PASSED AND ADOPTED 16th day of November 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mark Warren , President

ATTEST:

_____
Cori Vargas, District Clerk

APPROVED AS TO FORM AND LEGALITY:

_____
Christopher Cheleden, Lead Deputy County Counsel

Attachment: County Health Officer Recommendation regarding Continued Remote Public Meetings of Governmental Entities

County of Santa Clara
Public Health Department

Health Officer
976 Lenzen Avenue, 2nd Floor
San José, CA 95126
408.792.3798

Recommendation Regarding Continued Remote Public Meetings of Governmental Entities

Issued: September 21, 2021

In light of the continued state of emergency related to COVID-19, the County Public Health Officer continues to recommend that public bodies meet remotely to the extent possible, specifically including use of newly enacted AB 361 to maintain remote meetings under the Ralph M. Brown Act and similar laws.

Among other reasons, this recommendation is made due to the continued threat of COVID-19 to the community, the unique characteristics of public governmental meetings (such as the increased mixing associated with bringing together people from across the community, the need to enable those who are immunocompromised or unvaccinated to be able to safely continue to fully participate in public governmental meetings, and the challenges with fully ascertaining and ensuring compliance with vaccination and other safety recommendations at such meetings), and the continued increased safety protection that social distancing provides as one means by which to reduce the risk of COVID-19 transmission. This recommendation does not apply to those meetings of a quasi-judicial nature that have been already meeting in person prior to September 21, 2021, for example to allow for credibility determinations of witnesses.

The Health Officer will continue to evaluate this recommendation on an ongoing basis and will communicate when there is no longer such a recommendation with respect to meetings for public bodies.

Board of Supervisors: Mike Wasserman, Cindy Chavez, Otto Lee, Susan Ellenberg, S. Joseph Simitian
County Executive: Jeffrey V. Smith