**SLEEPY HOLLOW FIRE PROTECTION DISTRICT**

**STAFF REPORT**

To: District Board Members

From: Thomas J. Finn, District Director/Secretary, as Staff

Date: for February 21, 2022 Regular Meeting

Subject: Approve Resolution No. 2022-1 Allowing Virtual RVPA Board Meetings in

Compliance with Assembly Bill 361.

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**RECOMMENDATION**

Staff is recommending the following action:

Adopt Resolution No. 2022-1 allowing the Board’s continued use of teleconferencing/ videoconferencing to hold public meetings for Virtual SHFPD Board Meetings in Compliance with Assembly Bill 361 during the continuing state of emergency proclaimed by Governor Newsom on March 4, 2020.

**DISCUSSION**

On March 4, 2020, Governor Newsom declared a state of emergency under Government

Code Section 8625 due to COVID-19. Recognizing the need to promote social distancing while allowing local legislative bodies to continue operating during the emergency, the Governor signed Executive Orders N-25-20, N-29-20, and N-08-21, which suspended provisions of the Brown Act. Those Orders permitted legislative bodies to hold virtual meetings; however, the relevant provisions expired on September 30, 2021.

On September 16, 2021, the Governor signed Assembly Bill 361 (AB 361), which extends the authority of public agencies to conduct meetings by teleconference, including video conferences, during State-declared emergencies. Specifically, AB 361 provides that a legislative body may hold virtual meetings in a proclaimed state of emergency under certain circumstances, including when State or local officials have imposed or recommended measures to promote social distancing. Cal. Gov. Code §54953(e)(1)(A).

On September 22, 2021, Marin County Director of Health & Human Services Director Benita McLarin, sent a letter to the Marin County Board of Supervisors recommending continued social distancing for local government meetings. Director McLarin stated that local government meetings are indoor meetings that are sometimes crowded, involve many different and unfamiliar households, and can last many hours. Given those circumstances, Director McLarin recommended a continued emphasis on social distancing measures as much as possible to make public meetings as safe as possible. These measures can include video/teleconferencing when it meets community needs and spacing at in-person meetings so that individuals from different households are not sitting next to each other.

The SHFPD Board of Directors desires to adopt Resolution No. 2022-01 with the requisite findings that the (1) state of emergency is in effect, (2) that local officials are still recommending measures to promote social distancing, and (3) that the state of emergency directly impacts the ability of the public and the members of the SHFPD Board of Directors to meet safely indoors in person. AB 361 requires the SHFPD Board of Directors to make these findings at least every thirty (30) days if it desires to continue meeting virtually. Cal. Gov. Code § 54953(e)(3). Therefore, Staff has returned with Resolution No. 2022-01 for the Board’s consideration, including the findings noted above.

The SHFPD is committed to preserving and nurturing public access and participation in the SHFPD Board of Directors meetings while ensuring a safe and healthy environment.

**FISCAL IMPACT**

There is no fiscal impact associated with this item.

**ATTACHMENT**

Resolution No. 2022-01 entitled *Resolution Regarding Teleconference and Videoconference Meetings During the COVID-19 State of Emergency For February 21, 2022 through March 21, 2022*