

# SONOMA LOCAL AGENCY FORMATION COMMISSION

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## Staff Report

**Meeting Date:** September 7, 2022

**Agenda No.** Item 2

**Agenda Item Title:** Continuation of Teleconferencing due to the COVID-19 Pandemic

**Environmental Determination:** Not a project under CEQA

**Staff Contacts:** Mark Bramfitt

## Background

On September 16, 2021, Governor Newsom signed AB 361, which made changes, effective immediately, to the Brown Act to address teleconferencing during a proclaimed State of Emergency. AB 361 parallels many of the requirements of the prior Executive Orders, and allows for the following procedure during an emergency:

- Agendas not required to be posted at all teleconference locations
- Meeting must be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency
- Agendas are not required to identify each teleconference location in the meeting notice/agenda
- Local agencies are not required to make each teleconference location accessible to the public
- There is no requirement to have a quorum of board members participate from within the territorial bounds of the local agency's jurisdiction
- In each instance in which notice of the time of the teleconferenced meeting is given or the agenda for the meeting is posted, the legislative body shall also give notice of the manner by which members of the public may access the meeting and offer public comment
- The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option
- The legislative body shall allow members of the public to access the meeting, and the agenda shall include an opportunity for members of the public to address the legislative body directly
- In the event of a disruption which prevents the local agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored

AB 361 requires that the Commission make certain findings to continue to have meetings via teleconference during the pandemic emergency. At its October 6, 2021 meeting, the Commission voted to continue to meet via teleconference. At present, the County Health Officer continues to strongly recommend teleconference meetings due to the pandemic.

The proposed resolution makes the required findings to continue to meet via teleconference pursuant to the Health Officer's recommendation.

While the Commission utilizes teleconferencing for public meetings, this item will be present on each Commission agenda.

## ATTACHMENTS

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1. Health Officer's Recommendations for Safely Holding Public Meetings
2. Draft Resolution