

In The ZONE 1/1A ADVISORY COMMITTEE
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

_____ day _____, 20__

PRESENT:

ABSENT:

RESOLUTION NO. 2021-01

**A RESOLUTION OF THE ZONE 1/1A ADVISORY COMMITTEE ACKNOWLEDGING
GOVERNOR NEWSOM'S PROCLAMATION OF A STATE OF EMERGENCY AND AUTHORIZING
MEETINGS BY TELECONFERENCE FOR A PERIOD OF
THIRTY DAYS PURSUANT TO THE RALPH M. BROWN ACT**

The following Resolution is now offered and read:

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic; and

WHEREAS, the proclaimed state of emergency remains in effect; and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting law, Government Code Section 54950 *et seq.* (the "Brown Act"), provided certain requirements were met and followed; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 that clarified the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021; and

WHEREAS, on September 16, 2021, Governor Newsom signed Assembly Bill 361 (AB 361), allowing legislative bodies subject to the Brown Act to continue meeting by teleconference if the legislative body determines that meeting in person would present imminent risks to the health or safety of attendees, and further requires that certain findings be made by the legislative body every thirty (30) days; and

WHEREAS, California Department of Public Health and the federal Centers for Disease

Control and Prevention (“CDC”) caution that the Delta variant of COVID-19, currently the dominant strain of COVID-19 in the country, is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations (<https://www.cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html>); and

WHEREAS, the CDC has established a “Community Transmission” metric with 4 tiers designed to reflect a community’s COVID-19 case rate and percent positivity; and

WHEREAS, the County of San Luis Obispo currently has a Community Transmission metric of “moderate” which is the most serious of the tiers; and

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the Zone 1/1A Advisory Committee (Committee) deems it necessary to find holding in person meetings would present imminent risks to the health or safety of attendees, and thus intends to invoke the provisions of AB 361 related to teleconferencing.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Committee that:

1. The recitals set forth above are true and correct.
2. The Proclamation of State of Emergency in response to the COVID-19 pandemic issued by Governor Newsom on March 4, 2020, remains in effect.
3. Based on the recitals above, the Committee finds that meeting in person would present imminent risks to the health or safety of attendees.
4. Staff is directed to return at the next regularly scheduled meeting with an item for the Committee to consider making the findings required by AB 361 to continue meeting under its provisions.

Upon motion of Member _____, seconded by Member _____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing resolution is hereby adopted.

Gary Kobara
Chairperson of the Zone 1/1A Advisory Committee

ATTEST:

Francesca Devlin
Secretary of the Zone 1/1A Advisory Committee

APPROVED AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL
County Counsel

By: _____
Deputy County Counsel

Dated: _____