



**To:** Commissioners, First 5 Ventura County

**From:** Petra Puls, Executive Director

**Date:** October 21, 2021

**Re: Resolution to Continue to Hold Virtual Meetings**

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### **Background**

Governor Newsom's Executive Order No. N-29-20, which allows Commissioners and Committee Members to participate in public meetings via teleconference (phone or video) in response to the declared state and local emergencies due to the Novel Coronavirus, expired as of September 30, 2021.

On September 15, 2021, AB 361 was passed which allows local agencies to continue to use COVID-19-era teleconferencing notice and meeting procedures through December 31, 2023 as long as one of the following specific types of emergency exists:

- A. The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
- B. The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- C. The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

AB 361 states that local agency boards must make specific findings every 30 days during the emergency when telephonic or virtual meetings are required. The state of emergency in California still exists at least until the end of the 2021, so these findings must be made every 30 days and need to include the reconsideration of the state of emergency and the following circumstances:

- The state of emergency continues to directly impact the ability of the members to meet safely in person.
- State or local officials continue to impose or recommend measures to promote social distancing

The new law also prohibits local agencies from requiring public comments to be submitted prior to the meeting without also allowing real-time comment opportunities during the meeting. In addition, the new law allows third-party internet websites to collect names and other information

from the public in order to participate in the meeting, but local agencies themselves are still prohibited from requiring the same information to participate. Finally, if there is an internet or telephonic service disruption that prevents the agency from broadcasting the meeting, the agency may take no action until the broadcast is restored. Normal posting timelines for agendas still apply.

In accordance with legislative requirements, this item will be included under 'consent' at every Regular Commission Meeting moving forward as long as the emergency conditions exist.

**Recommendation**

The recommended action is to adopt a resolution authorizing F5VC to allow for all Commission and Standing Committee Meetings to participate via teleconference so long as such actions comply with newly adopted AB 361.

RESOLUTION OF THE CHILDREN AND FAMILIES FIRST COMMISSION OF VENTURA COUNTY ESTABLISHING HOLDING ALL REGULAR COMMISSION AND COMMITTEE MEETINGS VIRTUALLY

Whereas, Government Code section 54954(a), part of the Ralph M. Brown Act, requires that the time and place for holding regular meetings of the Commission be provided by “ordinance, resolution, bylaws, or by whatever other rule is required for the conduct of business by the [Commission];”

Whereas, Governor Newsom’s Executive Order No. N-29-20, which allows some or all Commissioners/Committee Members to participate in a public meeting via teleconference (phone or video) expired as of September 30, 2021.

Whereas, AB 361 was passed on September 15, 2021, which allows local agencies to continue to use COVID-19-era teleconferencing notice and meeting procedures as long as one of the following specific types of emergency exists:

- A. The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
- B. The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- C. The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

NOW, THEREFORE, THE CHILDREN AND FAMILIES FIRST COMMISSION OF VENTURA COUNTY HEREBY RESOLVES AS FOLLOWS:

The Commission has considered the circumstances of the state of emergency and determined that both of the following circumstances exist:

- (i) The state of emergency continues to directly impact the ability of the members to meet safely in person.
- (ii) State or local officials continue to impose or recommend measures to promote social distancing.

The Commission’s regular Commission and Standing Committee meetings will be conducted via teleconference (phone or video) and the agenda will include instructions informing the public how it may attend and participate in the meeting via teleconference.