

**ROSS VALLEY FIRE DEPARTMENT
STAFF REPORT**

For the meeting of November 10, 2021

To: Board of Directors

From: Jason Weber, Fire Chief

Subject: Approve Resolution 21-14 Allowing Virtual RVFD Board Meetings in Compliance with AB 361.

RECOMMENDATION:

Staff recommends that the Board approves Resolution 21-14, allowing the continued use of teleconferencing/videoconferencing to hold public meetings for Virtual RVFD Board Meetings in Compliance with AB 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, Governor Newsom 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, Governor Newsom signed AB 361, which extends the authority of public agencies to conduct meetings by teleconference, including video conferences, during State-declared emergencies. Specifically, the bill provides that a legislative body may hold virtual meetings in a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing. (Cal. Gov. Code § 54953(e)(1)(A)).

On September 22, 2021, the Marin County Director of Health & Human Services, Benita McLarin, sent a letter to the Marin County Board of Supervisors recommending continued social distancing for local government meetings.

Local government meetings are indoor meetings that are sometimes crowded, involve many different and unfamiliar households, and can last many hours. Given those circumstances, I recommend 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.

On October 12, 2021, the RVFD Board of Directors adopted resolution 21-13 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 RVFD Board of Directors to meet safely indoors in person.

AB 361 requires the RVFD Board of Directors to make these findings at least every thirty days if it desires to continue meeting virtually. (Cal. Gov. Code § 54953(e)(3)). Therefore, staff has returned with resolution 21-14 for the Board's consideration, including the findings noted above.

The Ross Valley Fire Department is committed to preserving and nurturing public access and participation in the RVFD Board of Directors meetings while ensuring a safe and healthy environment.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

Attachments: Resolution 21-14 a resolution regarding teleconference and videoconference meetings during the covid-19 state of emergency for November 1, 2021 – November 30, 2021. – Attachment #1

ROSS VALLEY FIRE DEPARTMENT

RESOLUTION 21-14

**A RESOLUTION OF THE ROSS VALLEY FIRE DEPARTMENT A
RESOLUTION REGARDING TELECONFERENCE AND
VIDEOCONFERENCE MEETINGS DURING THE COVID-19 STATE OF
EMERGENCY FOR NOVEMBER 1, 2021 – NOVEMBER 30, 2021.**

THE BOARD OF DIRECTORS ROSS VALLEY FIRE DEPARTMENT

WHEREAS, the Ross Valley Fire Department is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, on March 4, 2020, Governor Newsom proclaimed pursuant to his authority under the California Emergency Services Act, California Government Code Section 8625, that a state of emergency exists due to a novel coronavirus (COVID- 19); and

WHEREAS, on June 4, 2021, in lifting many restrictions that the State previously imposed due to COVID-19, the Governor indicated that those changes did not end the ongoing, proclaimed state of emergency; and

WHEREAS, as of the date of this Resolution, neither the Governor nor the Legislature have exercised their respective powers pursuant to California Government Code section 8629 to lift the state of emergency either by proclamation or by concurrent resolution in the state Legislature; and

WHEREAS, the continued local rates of transmission of the virus and variants causing COVID-19 are such that on September 22, 2021, the Marin County Director of Health & Human Services recommended that local government entities continue to emphasize social distancing in order to minimize the potential spread of COVID-19 during indoor, public meetings; and

WHEREAS, in light of this recommendation, the RVFD Board of Directors desires to continue to have the flexibility to meet by teleconference and/or videoconference;

**NOW, THEREFORE, THE ROSS VALLEY FIRE DEPARTMENT
BOARD OF DIRECTORS DOES HEREBY RESOLVE, DETERMINE AND
ORDER AS FOLLOWS**

1. There is an ongoing proclaimed state of emergency relating to the novel coronavirus causing the disease known as COVID-19.
2. The state of emergency continues to directly impact the ability of the RVFD Board of Directors to meet safely in person.
3. Local officials continue to recommend measures to promote social distancing.

I hereby certify that the foregoing Resolution was passed and adopted by the Ross Valley Fire Department on November 10, 2021, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ford Greene, RVFD Board President

ATTEST:

Mariana Gonzalez, Administrative Assistant