



Land Use & Natural Resources Committee

Meeting Date: October 5, 2023

Agenda Item No. 1

Approve Remote Committee Meeting

Consent

Prepared by: Robert Tadevich

Attachments: Yes

Approved by: Clint Holtzen

Referring Committee: Not Applicable

1. Issue:

Approval of virtual meetings following expiration of Executive Order No. N-25-20 and passage of Assembly Bill 361.

2. Recommendation:

Staff recommends approval of the resolution that would allow for this committee's meetings to continue to be held remotely.

3. Background/Analysis:

The Brown Act is a state law that establishes the procedural framework for members of local government decision-making bodies to meet, debate, and act. The Act is designed to ensure that the public is informed about the views, discussions, and actions of governing officials. SACOG is subject to the Brown Act.

4. Discussion/Analysis:

In September, the Governor signed Assembly Bill (AB) 361, which amends the Brown Act to allow continued flexibility for public meetings following the expiration of the Governor's Executive Order. The provisions of AB 361 regarding remote meetings provide that public bodies may continue to meet remotely so long as state or local officials have imposed or recommended measures to promote social distancing. Staff recommends that the committee adopt a resolution (attached) determining that state or local officials have imposed or recommended such measures to promote social distancing.

An additional stipulation of the legislation is that, every 30 days, legislative bodies must make findings that state and local officials continue to recommend measures to promote social distancing. As such, staff will bring this item to each committee and the board every month so that the committee/board may make the necessary findings. Attached is the authorizing resolution.

Assembly Bill 361 permits remote meetings but requires that:

- agencies may not close public comment periods for written comments in advance of a meeting, but instead only close the comment period at the same time it is closed during a meeting;
- that agencies must clearly advertise the means by which the public can observe the meeting and offer comment during the meeting via either a call or internet based option, the public must be given an opportunity to comment directly; and
- that in the event of a disruption in the broadcasting of the meeting the legislative body (board or committee) would take no further action until meeting access would be restored to the public.

AB 361 continues to remain in place but will sunset on January 1, 2024.

5. Fiscal Impact/Grant Information:

SACOG will continue to have minor cost savings from holding meetings remotely.