

Mono County Local Agency Formation Commission

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

SPECIAL AB361 MEETING AGENDA

June 13, 2022 – 2:00 pm

**Hybrid Meeting: Zoom & Dana Room or
Bridgeport CAO Conference Room**
Dana Room-Mono County Civic Center
1290 Tavern Rd. (Dana Room on 2nd Floor)
Mammoth Lakes, CA

This meeting will be held via teleconferencing with members of the Board attending from separate remote locations. As authorized by AB 361, dated September 16, 2021, a local agency may use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency and local officials have recommended or imposed measures to promote social distancing or the body cannot meet safely in person and the legislative body has made such findings.

The meeting may be joined by video at

<https://monocounty.zoom.us/j/85791693067?pwd=bDNHaDhsK01xcTJWU3NyeXpudkJJZz09>

or by telephone at: 669-900-6833 (**Meeting ID# is 857 9169 3067, password 1234**) where members of the public shall have the right to observe and offer public comment.

An alternate method to access the video meeting is <https://zoom.us/join> and enter

Meeting ID: 857 9169 3067, password 1234

If you are unable to join the Zoom webinar and wish to make a public comment prior to the meeting, please submit your comment, limited to 250 words or less, to cddcomments@mono.ca.gov by 5:00 PM on Friday, June 10, 2022. Comments longer than 250 words may be summarized, due to time limitations. All comments will be made a part of the record.

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**
- 2. PUBLIC COMMENT**
- 3. ADOPT RESOLUTION R22-02** to meet remotely under the Brown Act remote meeting laws per Assembly Bill 361 (pg. 1)
- 4. ADJOURN** to June 13, 2022 at 2pm.

LAFCO COMMISSIONERS

Hank Brown, Tom Cage, Sarah Rea, Lynda Salcido, Jennifer Kreitz, Rhonda Duggan, Bruce Woodworth

Mono County

Local Agency Formation Commission

PO Box 347
Mammoth Lakes, CA 93546
760-924-1800, fax 924-1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760-932-5420, fax 932-5431
www.monocounty.ca.gov

Staff Report

June 13, 2022

To: Mono County LAFCO

From: Gerry LeFrancois, Executive Officer

SUBJECT: Assembly Bill 361 Virtual Meetings

RECOMMENDATION / DISCUSSION Adopt Resolution R22-02 to meet remotely under the Brown Act and under AB 361.

On March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic. That Proclamation remains in effect. Subsequently, on March 17, 2020, Governor Newsom issued Executive Order N-29-20, which modified the teleconferencing rules set forth in the California Open Meeting law, Government Code section 54950 et seq. (the "Brown Act"), in order to allow legislative bodies to meet from remote locations without opening those locations to the public or complying with certain agenda requirements. Those modifications remained in effect through September 30, 2021.

In anticipation of the expiration of the applicable provisions of Executive Order N-29-20, the California legislature adopted, and Governor Newsom signed, AB 361. AB 361 amended the Brown Act to allow local legislative bodies to continue to meet under the modified teleconferencing rules until January 1, 2024, if the meeting occurs during a proclaimed state of emergency and the legislative body finds that it has reconsidered the circumstances of the state of emergency and either:

- measures to promote social distancing have been imposed or recommended by local health officials; or
- the state of emergency continues to directly impact the ability of the members to meet safely in person.

The Local Health Officer and the Director of Mono County Public Health have recommended that measures be implemented to promote social distancing, including the holding of virtual meetings. A copy of the memo memorializing that recommendation is attached.

In order to continue meeting virtually, the Commission will again need to consider the circumstances of the state of emergency and again make one of the additional findings required by AB 361.

Attachments: Resolution R22-02 and Public Health Recommendation on remote meetings

RESOLUTION 22-02
OF THE LOCAL AGENCY FORMATION COMMISSION AUTHORIZING REMOTE TELECONFERENCE
MEETINGS FOR THE PERIOD OF JUNE 13,2022, THROUGH JULY 13, 2022, PURSUANT TO AB 361

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

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20, modifying the teleconferencing rules set forth in the California Open Meeting law, Government Code section 54950 et seq. (the "Brown Act"), subject to compliance with certain requirements; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, providing that the modifications would remain in place through September 30, 2021; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361, providing that a legislative body subject to the Brown Act may continue to meet under modified teleconferencing rules if the meeting occurs during a proclaimed state of emergency and state or local officials have imposed or recommended measures to promote social distancing; and

WHEREAS, the Local Health Officer and the Director of Mono County Public Health have recommended that measures be implemented to promote social distancing, including the holding of virtual meetings of legislative bodies within the County of Mono, a copy of that recommendation is attached as an exhibit and incorporated herein; and

WHEREAS, in the interest of public health and safety, and in response to the local recommendation for measures to promote social distancing, the Local Agency Formation Commission (the "Legislative Body") deems it necessary to invoke the provisions of AB 361 related to teleconferencing;

NOW, THEREFORE, THE LEGISLATIVE BODY FINDS AND RESOLVES that:

SECTION ONE: The recitals set forth above are true and correct and are adopted as findings of the Legislative Body.

SECTION TWO: The Legislative Body has reconsidered the circumstances of the State of Emergency.

SECTION THREE: State or local officials have recommended measures to promote social distancing, including the holding of virtual meetings for legislative bodies within the County of Mono that are subject to the Brown Act.

SECTION FOUR: Staff is directed to return to the Legislative Body no later than thirty (30) days after the adoption of this resolution, or at the next meeting of the Legislative Body, if later, for the Legislative Body to consider whether to again make the findings required to meet under the modified teleconference procedures of AB 361.

PASSED, APPROVED and ADOPTED this 13 day of June 2022, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Hank Brown, Chair LAFCO