

RESOLUTION OF THE LIBRARY ADVISORY BOARD AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF THE LIBRARY ADVISORY BOARD FOR THE PERIOD OF JANUARY 19, 2022 THROUGH FEBRUARY 17, 2022 PURSUANT TO THE RALPH M. BROWN ACT

WHEREAS, all meetings of the Library Advisory Board and its legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov't Code section 54950 et seq.), so that any member of the public may attend, participate and view the legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions and requirements; and

WHEREAS, Government Code section 54953(e) requirements include but are not limited to (1) the existence of a state of emergency declared by the Governor pursuant to Government Code section 8625 and (2) State or local officials have imposed or recommended measures to promote social distancing; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic and as of the date of this Resolution, the proclaimed state of emergency remains in effect; and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20, which suspended and modified the teleconferencing requirements under the Brown Act (California Government Code Section 54950 *et seq.*) to allow local legislative bodies to hold public meetings via teleconference; and

WHEREAS, on June 11, 2021, the Governor issued Executive Order N-08-21, which extended the provisions of N-29-20 concerning the conduct of public meetings through September 30, 2021, and the Governor subsequently signed legislation revising Brown Act requirements for teleconferenced public meetings (Assembly Bill 361, referred to hereinafter as "AB 361"); and

WHEREAS, to preserve public health and safety, the State Public Health Officer has issued various orders and guidance regarding COVID-19 prevention measures, which include references and a statement of support for social distancing recommendations (see Guidance for Use of Face Coverings (updated December 15, 2021) and COVID-19 Public Health Recommendations for Fully Vaccinated People (dated August 24, 2021)); and

WHEREAS, the California Department of Industrial Relations has issued COVID-19 Prevention regulations in Title 8 of the California Code of Regulations (Section 3205 et seq.) which requires employers to (1) have a written COVID-19 prevention program including employee training that promotes physical distancing as an infection prevention measure and (2) consider implementing physical distancing where feasible as a response to COVID-19 outbreaks; and

WHEREAS, based on the foregoing, the Library Advisory Board finds that (1) the Governor's Proclaimed State of Emergency as a result of the COVID-19 pandemic is currently in effect and has not been terminated and (2) State officials have imposed or recommended measures to promote social distancing; and

WHEREAS, the Library Advisory Board has considered the circumstances of the state of emergency, including all information related to this matter, and other information relating to COVID-19 provided at prior public meetings of the Library Advisory Board; and

WHEREAS, in light of the foregoing, the Library Advisory Board desires to continue to have the flexibility to meet via tele/video conference and the Library Advisory Board finds that it and its legislative bodies shall be permitted to conduct their meetings by teleconferencing without compliance with Government Code section 54953(b)(3) pursuant to section 54953(e), and such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed by section 54953(e)(2).

NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED by the Library Advisory Board as follows:

1. The facts set forth in the above recitals are true and correct and incorporated into this resolution by reference;

2. As a result of the continuing COVID-19 state of emergency declared by Governor Newsom, State officials continue to impose or recommend measures to promote social distancing based on the State Public Health Officer's guidance and recommendations supporting social distancing and the Department of Industrial Relations' issuance of COVID-19 Prevention regulations through Title 8 of the California Code of Regulations, section 3205 et seq. promoting social distancing in the workplace.

3. Under the present circumstances, the Library Advisory Board and any of its legislative bodies are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

4. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) February 17, 2022 or (ii) such time the Library Advisory Board adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which its legislative bodies may continue to teleconference without compliance with Section 54953(b)(3).

PASSED AND ADOPTED by the Library Advisory Board this 19th day of January, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dr. Patrick Newell, Chair
Library Advisor Board

ATTEST:

By: _____

[NAME/POSITION]

[BOARD, COMMISSION OR COMMITTEE NAME]