



Memorandum

COUNTY EXECUTIVE OFFICE

DATE: November 1, 2021

TO: Legislative Program Committee

FROM: Jasmine McGinty, Legislative Coordinator

SUBJECT: Reconsider the circumstances of the COVID-19 State of Emergency.

Introduction

On June 11, 2021, Governor Gavin Newsom issued Executive Order N-08-21, which among other things sets a date of October 1, 2021 for public agencies to transition back to public meetings held in full compliance with the Brown Act, including how remote participation is conducted. The California State Legislature recently passed, and the Governor signed, Assembly Bill 361, which amends the Government Code to allow Brown Act bodies to continue to meet remotely if certain elements are met and the body takes certain actions as discussed below. AB 361 took effect immediately and applies to all Brown Act boards, committees, and commissions within the County.

Discussion

In response to the passage of AB 361, which allows Brown Act bodies to continue to meet remotely if certain requirements are met and the body makes certain findings, the Santa Barbara County Health Officer issued a [recommendation](#) on social distancing on September 28, 2021. The recommendation notes that utilizing teleconferencing options for public meetings is an effective and recommended social distancing measure to facilitate participation in public affairs and encourages participants to protect themselves and others from the COVID-19 disease.

On October 4, 2021, the Legislative Program Committee decided to continue to meet remotely, and directed staff to continue to hold remote meetings. Consistent with AB 361, the committee must reconsider the circumstances of the COVID-19 State of emergency every 30 days, including considering state and local officials health recommendations on social distancing. The Santa Barbara County Public Health Officials' recommendation to utilize teleconferencing options for public meetings as an effective social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and others from the COVID-19 disease still is in effect.

Santa Barbara County also is currently categorized as having a "substantial" level of community transmission by the US Centers for Disease Control and Prevention's four-tiers. As of October 23, 2021, the Santa Barbara County Public Health Department reports a 10.0 case rate per 100,000 and a 2.8% testing positivity rate. If the Committee approves the

recommended actions, within the next 30 days, a special meeting will be held prior to the December 6, 2021 Legislative Program Committee meeting to reconsider these circumstances again.

Recommended Actions

- 1) Reconsider the circumstances of the COVID-19 state of emergency;
 - 1A.1) Reconsider the circumstances of the COVID-19 state of emergency
 - 1A.2) Consider whether state or local officials continue to impose or recommend measures to promote social distancing;
 - 1A.3) Find that the Legislative Program Committee has reconsidered the circumstances of the state of emergency, and that State or local officials continue to impose or recommend measures to promote social distancing; and
- 2) Direct staff to continue to notice and hold hearings as remote hearings consistent with Government Code § 54953(e)(3).