

COUNTY OF ALAMEDA COUNTYWIDE OVERSIGHT BOARD

RESOLUTION NUMBER NO. OB-2022-01

A RESOLUTION OF THE COUNTY OF ALAMEDA COUNTYWIDE  
OVERSIGHT BOARD FOR THE SUCCESSOR AGENCIES  
WITHIN ALAMEDA COUNTY MAKING FINDINGS AUTHORIZING REMOTE  
MEETINGS BY TELECONFERENCE

**WHEREAS**, Senate Bill No. 107 (SB 107), Health and Safety Code Section 34179(j), provided for the creation of the County of Alameda Countywide Oversight Board (“Oversight Board”) commencing on and after July 1, 2018; and

**WHEREAS**, the Oversight Board is a “legislative body” subject to the Ralph M. Brown Act (Government Code sections 54950 *et seq.*), which requires meetings of local legislative bodies to be open to the public. Under the Brown Act, legislative bodies may meet by teleconference if they meet enumerated requirements; and

**WHEREAS**, on March 4, 2020, the Governor of the State of California issued a Proclamation of a State of Emergency declaring that a state of emergency exists in California due to the threat of COVID-19, pursuant to the California Emergency Services Act (Government Code section 8625). This declaration of emergency remains in effect; and

**WHEREAS**, shortly after declaring the state of emergency, the Governor issued several executive orders suspending some of the Brown Act’s existing requirements for teleconferenced meetings, which otherwise would require legislative bodies to provide the public the opportunity to participate in the meetings at each teleconferencing location. The Governor ultimately extended the suspension of these requirements through September 30, 2021, pursuant to Executive Orders N-08-21 and N-15-21; and

**WHEREAS**, on September 16, 2021, the Governor signed into law Assembly Bill 361 (AB 361, Chapter 165, statutes of 2021), urgency legislation that amended the Brown Act to allow the use of teleconferenced meetings by legislative bodies without providing a physical meeting location for the public through January 31, 2024, under certain conditions, including the continued existence of a state of emergency declared by the Governor and recommendations from a state or local official for continued social distancing; and

**WHEREAS**, both state and local officials recommend continued social distancing. The Division of Occupational Safety and Health of California’s (Cal/OSHA) issued Emergency Temporary Standards that require employers to train and instruct employees that the use of social distancing helps combat the spread of COVID-19 (8 Cal. Code Regs. 3205(c)(5)(D)); and

**WHEREAS**, on September 28, 2021, the Board of Supervisors of the County of Alameda accepted the recommendation of the County’s Health Care Services Agency Director for continued social distancing at all meetings of the full Board of Supervisors and at all Board of Supervisors Committee meetings; and

**WHEREAS**, under the requirements of AB 361, a legislative body must make specified findings not later than 30 days after the first teleconferenced meeting pursuant to these provisions, and to make those findings every 30 days thereafter, in order to continue to meet under these emergency teleconferencing procedures; and

**WHEREAS**, the Oversight Board’s first teleconferenced meeting pursuant to the provisions of AB 361 was held on January 19, 2022; and

**NOW, THEREFORE, BE IT RESOLVED** that the Oversight Board hereby finds that there is a continuing state of emergency declared by the Governor of the State of California that encompasses the County of Alameda.

**BE IT FURTHER RESOLVED** that the Oversight Board further finds that state and/or local officials have imposed or continue to recommend measures to promote social distancing. Accordingly, the Oversight Board determines that it may conduct its meetings by teleconferencing in accordance with Government Code section 54953(e).

These Findings expire thirty (30) days after the date of adoption and shall be reconsidered every 30 days thereafter.

**PASS AND ADOPTED** at a regular meeting of the County of Alameda Countywide Oversight Board on this 19<sup>th</sup> day of January, 2022, by the following vote:

<b>Board Members</b>	<b>Carson</b> County Board of Supervisors	<b>Halliday</b> City Selection Committee	<b>Sethy</b> Ind. Special District Committee	<b>Heldman</b> County Office of Education	<b>Dela Rosa</b> Chancellor of the CA Comm. College	<b>O'Connell</b> County Board of Supervisors (Public)	<b>Katz Mulvey</b> Recognized Employee Organization
AYES:	✓	✓	✓			✓	✓
NOES:							
ABSENT:					✓		
ABSTAIN:				✓			
EXCUSED:							

DocuSigned by:

*Barbara Halliday*  
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 Chairperson, Barbara Halliday

ATTEST:



Secretary of the Countywide Oversight Board  
 of the County of Alameda