

**THE ADVISORY REDISTRICTING COMMISSION
FOR THE MONTEREY COUNTY BOARD OF EDUCATION
RESOLUTION NO. 21-22-15 AUTHORIZING USE OF REMOTE
TELECONFERENCING PROVISIONS (AB 361)**

WHEREAS, the Advisory Redistricting Commission for the Monterey County Board of Education ("Commission") is committed to open and transparent government, and full compliance with the Ralph M. Brown Act ("Brown Act"); and

WHEREAS, the Brown Act generally requires that a public agency take certain actions in order to use teleconferencing to attend a public meeting virtually; and

WHEREAS, the Commission recognizes that a local emergency persists due to the worldwide COVID-19 pandemic; and

WHEREAS, the California Legislature has recognized the ongoing state of emergency due to the COVID-19 pandemic and has responded by creating an additional means for public meetings to be held via teleconference (inclusive of internet-based virtual meetings); and

WHEREAS, on September 16, 2021, the California legislature passed Assembly Bill ("AB") 361, which amends Government Code, section 54953 and permits a local agency to use teleconferencing to conduct its meetings in any of the following circumstances: (A) the legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; (B) the legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or (C) the legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, in order for the Commission to use teleconferencing as allowed by AB 361 after October 1, 2021, it must first adopt findings in a resolution, allowing the Commission to conduct teleconferenced meetings for a period of thirty (30) days; and

WHEREAS, Governor Gavin Newsom declared a state of emergency for the State of California due to the COVID-19 pandemic in his order entitled "Proclamation of a State of Emergency," signed March 4, 2020; and

WHEREAS, the Commission hereby finds that the state and local emergencies may cause imminent risks to the health or safety of attendees; and

WHEREAS, the Commission is conducting its meetings through the use of telephonic and internet-based services so that members of the public may observe and participate in meetings and offer public comment.

NOW THEREFORE, BE IT RESOLVED, that the recitals set forth above are true and correct and fully incorporated into this Resolution by reference.

BE IT FURTHER RESOLVED, that the Commission has determined that given the state of emergency, holding in-person meetings may present imminent risks to the health or safety of attendees.

BE IT FURTHER RESOLVED, the Commission agrees to take all actions necessary to conduct Advisory Redistricting Commission meetings in accordance with Government Code section 54953(e) and all other applicable provisions of the Brown Act, using teleconferencing for a period of thirty (30) days from the adoption of this Resolution, after which the Commission will reconsider the circumstances of the state of emergency.

PASSED AND ADOPTED by the Advisory Redistricting Commission for the Monterey County Board of Education on this 30th day of September 2021, by the following vote:

AYES	9
NOES	0
ABSENT	2
ABSTAIN	0

SIGNED:  _____
Timothy Ryan
Monterey County Deputy Superintendent of Schools
Secretary to the Commission