

**MONTEREY COUNTY BOARD OF EDUCATION ADVISORY REDISTRICTING  
COMMISSION  
RESOLUTION NO. 21-22-18 AUTHORIZING THE CONTINUED USE OF REMOTE  
TELECONFERENCING PROVISIONS (AB 361)**

**WHEREAS**, the Monterey County Board of Education’s Advisory Redistricting Commission (“Commission”) is committed to open and transparent public meetings, and full compliance with the Ralph M. Brown Act (“Brown Act”); and

**WHEREAS**, the Brown Act generally requires that a public entity 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 Advisory Redistricting 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 previously adopted Resolution Number 21-22-15 on September 30, 2021, finding that the requisite conditions exist to conduct remote teleconference meetings in accordance with Government Code section 54953(e); 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; and

**WHEREAS**, as a condition of the continued use of the provisions found in Government Code section 54953(e), the Commission must reconsider the circumstances of the state of emergency and find that either it continues to directly impact the ability of the members to meet safely in person, and/or state or local officials continue to impose or recommend measures to promote social distancing; and

**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 reconsidered the circumstances of the state of emergency and finds that the state of emergency continues to directly impact the ability of members to meet safely in person.

**BE IT FURTHER RESOLVED**, the Commission authorizes the Monterey County Office of Education or their designee(s) to take all actions necessary to continue 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 Monterey County Board of Education’s Advisory Redistricting Commission on this 25th day of October 2021, by the following vote:

AYES \_\_\_\_\_

NOES \_\_\_\_\_

ABSENT \_\_\_\_\_

ABSTAIN \_\_\_\_\_

Signed \_\_\_\_\_

Timothy E. Ryan  
Deputy Superintendent  
Monterey County Office of Education