

Mammoth Lakes Recreation Commission Agenda Action Sheet

Title: Adopt the resolution making findings to allow the Recreation Commission to meet virtually during the COVID-19 pandemic declared emergency.

Commission Meeting Date: 12/7/2021

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Recommended Motion: Adopt the resolution making findings to allow the Recreation Commission to meet virtually during the COVID-19 pandemic declared emergency.

Summary: On September 15, 2021, the Governor signed Assembly Bill (AB) 361, amending the Ralph M. Brown Act to allow local agencies to continue conducting public meetings remotely during a state of emergency, so long as certain requirements are met.

Governor Newsom subsequently signed Executive Order N-15-21, which generally suspends the application of Assembly Bill (“AB”) 361 until October 1, 2021. AB 361 is urgency legislation amending the Brown Act to allow legislative bodies of local agencies to meet remotely with relaxed teleconferencing requirements during declared emergencies under certain conditions.

On November 2, 2021, the Recreation Commission by motion adopted a resolution making findings to allow the Recreation Commission to meet virtually during the COVID-19 pandemic declared emergency. To continue to rely on the relaxed teleconferencing provisions, each advisory/legislative body must reconsider the circumstances of the state of emergency and make the following findings by majority vote, every 30 days:

- The state of emergency continues to directly impact the ability of the members to meet safely in person; or
- State or local officials continue to impose or recommend measures to promote social distancing.

AB 361 creates statutory exemptions to the Brown Act that extend flexibility for remote public meetings during proclaimed emergencies, through January 1, 2024. State and local agencies must give the public notice and an opportunity to comment and participate at meetings in real time, even using remote means, and they must comply with certain prerequisites in order to rely on the remote meeting provision. While this new law relaxes certain remote meeting requirements relating to member participation, agendas, and public accessibility at remote locations, the underlying aim of the Brown Act remains - to ensure meetings of local agencies be open and public.

The Commission will need to reconsider the circumstances and need for remote meetings every 30 days. This process will continue until the emergency is terminated or the Commission determines it is safe to reconvene in-person meetings and not utilize the flexibility provided under AB 361.