

R-21-117  
Meeting 21-21  
November 18, 2021

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**AGENDA ITEM #6**

To: Board of Directors  
Open Space Authority

From: Andrea Mackenzie  
General Manager

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**SUBJECT**

Adopt Resolution 21-74 Proclaiming A Local Emergency, Re-ratifying the Proclamation of a State of Emergency Issued on March 04, 2020 by Governor Gavin Newsom, and Re-authorizing Remote Teleconference Meetings of the Legislative Bodies of the Santa Clara Valley Open Space Authority for the Period November 18, 2021 to December 18, 2021, Pursuant to Brown Act Provisions

**REVENUE/COST**

There are no costs associated with this item.

**BACKGROUND**

On October 28, 2021, the Board approved Resolution 21-68 proclaiming a local emergency, ratifying the proclamation of a State of Emergency issued on March 04, 2020 by Governor Gavin Newsom and authorizing remote teleconference meetings for 30 days, through November 27, 2021. Among other things, AB 361 allowed legislative bodies to continue to hold remote meetings during the pandemic. More explicitly, this legislation allowed local agencies to use teleconferencing without having to comply with the standard requirements of the Brown Act, provided that there is a “proclaimed state of emergency,” as there is currently in the Governor’s State of Emergency Declaration, issued on March 04, 2020, the state of emergency has not been lifted, and the legislative body meets “other requirements”, including, the legislative body shall, every thirty (30) days thereafter, make the same findings by majority vote.

**DISCUSSION**

Several of the features of operating Board and Committee meetings under AB 361 during the COVID-19 pandemic, as opposed to under the current Brown Act law, allow the Board and its committees to continue to conduct meetings in a safe meeting environment while allowing greater public participation in the legislative process and access to meetings.

**RECOMMENDATION**

Staff is recommending that the Board consider adopting Resolution 21-74, which re-authorizes the Board and Board Committees to continue to meet remotely for 30 days in accordance with requirements outlined in the Resolution, through December 18, 2021.

Prepared by:  
Kellie Guerra, Clerk of the Board

*Attachment(s): Resolution 21-74 – A Resolution of the Governing Board of the Santa Clara Valley Open Space Authority Proclaiming A Local Emergency, Re-ratifying the Proclamation of a State of Emergency Issued on March 04, 2020 by Governor Gavin Newsom, and Re-authorizing Remote Teleconference Meetings of the Legislative Bodies of the Santa Clara Valley Open Space Authority for the Period November 18, 2021 to December 18, 2021, Pursuant to Brown Act Provisions*