

## SBCAG STAFF REPORT

**SUBJECT:** Report on Circumstances of the COVID-19 State of Emergency

**MEETING DATE:** November 18, 2021

**AGENDA ITEM:** 4□

**STAFF CONTACT:** Marjie Kirn

### RECOMMENDATION:

Reconsider the Circumstances of the COVID-19 State of Emergency

1. Reconsider the circumstances of the COVID-19 state of emergency;
2. Consider whether state or local officials continue to impose or recommend measures to promote social distancing;
3. Find that the SBCAG Board has reconsidered the circumstances of the state of emergency, and that State or local officials continue to impose or recommend measures to promote social distancing; and
4. Direct staff to continue to notice and hold hearings as remote hearings consistent with Government Code § 54953(e)(3).

### DISCUSSION:

On June 11, 2021, Governor Gavin Newsom issued Executive Order N-08-21, which among other things sets a date of October 1, 2021 for public agencies to transition back to public meetings held in full compliance with the Brown Act, including how remote participation is conducted. The California State Legislature recently passed, and the Governor signed, Assembly Bill 361 (Rivas, 2021) (AB 361), which amends the Government Code to allow Brown Act bodies to continue to meet remotely if certain elements are met. AB 361 took effect immediately, but does not supersede Executive Order N-08-21. It applies to all Brown Act boards, committees, and commissions.

On March 4, 2020, Governor Newsom declared a state of emergency for conditions caused by COVID-19. On March 12, 2020, the County Director of Emergency Services proclaimed a Local Emergency as a result of the COVID-19 and the Health Officer of the County declared a Local Health Emergency, due to the imminent and proximate threat to public health from the introduction of COVID-19 in the County. Thereafter, on March 17, 2020, the County Board of Supervisors ratified the Proclamation of a Local Emergency. and the Declaration of a Local Health Emergency. On February 24, 2021, the President extended the national emergency concerning the COVID-19 pandemic.

On September 28, 2021, the Santa Barbara County Public Health Officials recommended utilizing teleconferencing options for public meetings as an effective social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and others from the COVID-19 disease (attached). Santa Barbara County is currently categorized as having a “substantial” level of community transmission by the US Centers for Disease Control and Prevention’s four-tiered. As of September 29, 2021, the Santa Barbara County Public Health Department reports a 13.0 case rate per 100,000 and a 3.1% testing positivity rate.

**ATTACHMENT:**

A. Health Officials AB 361 Social Distance Recommendation

# ATTACHMENT A



**Public Health Administration**

300 North San Antonio Road ♦ Santa Barbara, CA 93110-1316  
805/681-5100 ♦ FAX 805/681-5191

Van Do-Reynoso, MPH, PhD *Director*  
Suzanne Jacobson, CPA *Chief Financial Officer*  
Paige Batson, MA, PHN, RN *Deputy Director*  
Darrin Eisenbarth *Deputy Director*  
Dana Gamble, LCSW *Interim Deputy Director*  
Polly Baldwin, MD, MPH *Medical Director*  
Henning Ansorg, MD *Health Officer*

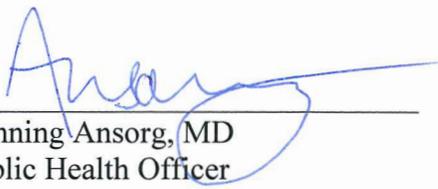
## HEALTH OFFICIALS AB 361 SOCIAL DISTANCE RECOMMENDATION

**Issued: September 28, 2021**

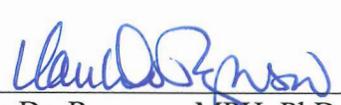
COVID-19 disease prevention measures, endorsed by the Centers for Disease Control and Prevention, include vaccinations, facial coverings, increased indoor ventilation, handwashing, and physical distancing (particularly indoors).

Since March 2020, local legislative bodies-such as commissions, committees, boards, and councils- have successfully held public meetings with teleconferencing as authorized by Executive Orders issued by the Governor. Using technology to allow for virtual participation in public meetings is a social distancing measure that may help control transmission of the SARS-CoV-2 virus. Public meetings bring together many individuals (both vaccinated and potentially unvaccinated), from multiple households, in a single indoor space for an extended time. For those at increased risk for infection, or subject to an isolation or quarantine order, teleconferencing allows for full participation in public meetings, while protecting themselves and others from the COVID-19 virus.

Utilizing teleconferencing options for public meetings is an effective and recommended social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and others from the COVID-19 disease. This recommendation is further intended to satisfy the requirement of the Brown Act (specifically Gov't Code Section 54953(e)(1)(A)), which allows local legislative bodies in the County of Santa Barbara to use certain available teleconferencing options set forth in the Brown Act.



\_\_\_\_\_  
Henning Ansorg, MD  
Public Health Officer  
County of Santa Barbara



\_\_\_\_\_  
Van Do-Reynoso, MPH, PhD  
Public Health Director  
County of Santa Barbara