

SBCAG STAFF REPORT

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

MEETING DATE: February 17, 2022

AGENDA ITEM: 4B

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 January 31, 2020, the Secretary of Health and Human Services (HHS) declared a public health emergency under section 319 of the Public Health Service Act (42 USC § 247d) in response to COVID-19. On March 13, 2020, the US President declared a national emergency concerning the COVID-19 pandemic which has been extended until February 24, 2022. On March 4, 2020, Governor Newsom declared a state of emergency for conditions caused by COVID-19 which has been extended until March 31, 2022. On March 12, 2020, the Santa Barbara County Director of Emergency Services proclaimed a Local Emergency as a result of the COVID-19 and the Santa Barbara County Health Officer declared a Local Health Emergency, due to the imminent and proximate threat to public health from the introduction of COVID-19. Thereafter, on March 17, 2020, the Santa Barbara County Board of Supervisors ratified the Proclamation of a Local Emergency and the Declaration of a Local Health Emergency which remain in effect.

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). As of February 4, 2022, the COVID-19 community transmission level is categorized as “High” in California and Santa Barbara County by the Centers for Disease

Control & Prevention (CDC). As of February 3, 2022, the County has a case rate of 122.93 per 100,000 and a test positivity of 21.0%. The CDC continues to recommend fully vaccinated individuals wear a face covering in public indoor settings in areas with Substantial or High community transmission rates.

ATTACHMENT:

- A. Health Officials AB 361 Social Distance Recommendation

ATTACHMENT A



Public Health Administration

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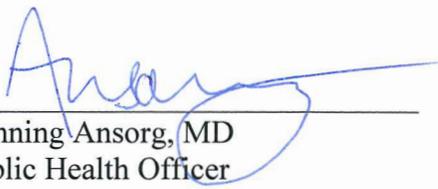
HEALTH OFFICIALS AB 361 SOCIAL DISTANCE RECOMMENDATION

Issued: September 28, 2021

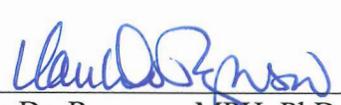
COVID-19 disease prevention measures, endorsed by the Centers for Disease Control and Prevention, include vaccinations, facial coverings, increased indoor ventilation, handwashing, and physical distancing (particularly indoors).

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.



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