

February 2, 2023 (Agenda)

Local Agency Formation Commission  
105 East Anapamu Street  
Santa Barbara CA 93101

## **Assembly Bill 361 Determination**

Dear Members of the Commission:

### RECOMMENDATION:

It is recommended that the Commission adopt pursuant to Government Code § 54953(e)(1), consider determination that 1) local health officials recommend social distancing to reduce transmission of COVID-19 and 2) as a result of the declared pandemic emergency, requiring in-person attendance at Commission hearings presents an imminent risk to the health and safety of attendees and, therefore, Commission meetings may be held via teleconferencing pursuant to Government Code § 54953(e)(2).

### DISCUSSION:

The Commission should adopt the attached Resolution affirming its previous determinations that the circumstances set forth in Government Code section 54953(1)(A) and (C) have been met and that Commission hearings, including any committee meetings subject to the Brown Act, may be held pursuant to the teleconferencing requirements of Assembly Bill 361.

### Attachments:

Attachment A: Resolution for AB 361 Determination February 2, 2023

Please contact the LAFCO office if you have any questions.

Sincerely,



Mike Prater  
Executive Officer

LAFCO RESOLUTION XX - 2023

Determination pursuant to Government Code )  
§ 54953(e)(1) that Commission meetings may )  
be held via teleconferencing pursuant to Assembly )  
Bill 361, Government Code § 54953(e)(2). )  
\_\_\_\_\_ )

WHEREAS, on September 16, 2021, Governor Newsom signed Assembly Bill 361 amending the Brown Act, Government Code section 54953, to allow more liberal use of teleconferencing at local agency public meetings during a proclaimed state of emergency. As urgency legislation, this bill took effect immediately.

WHEREAS, on October 7, 2021, the Commission adopted Resolution No. 21-16 determining that sufficient grounds exist for the Commission to hold meetings pursuant to the teleconference requirements of Section 54953(e)(2).

WHEREAS, the Commission’s AB 361 determination was affirmed by the Commission at its regular meetings on November 4, 2021, December 9, 2021, January 6, 2022, February 3, 2022, April 7, 2022, May 5, 2022, June 2, 2022, August 11, 2022, September 1, 2022, October 6, 2022, December 8, 2022, and January 12, 2023.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Local Agency Formation Commission of Santa Barbara County as follows:

(1) The Commission affirms its previous determinations that the circumstances set forth in Government Code section 54953(1)(A) and (C) have been met and that Commission hearings, including any committee meetings subject to the Brown Act, may be held pursuant to the teleconferencing requirements of Assembly Bill 361.

(2) Pursuant to Section 54953(e)(3)(B), the Commission has reconsidered the circumstances under which the original determinations were made and hereby determines as follows:

(a) Evidence cited in County Health Orders show that the declared state of emergency for Covid-19 continues to directly impact the ability of the members of the public and public officials to safely attend Commission hearings in person.

(b) County Health Officer continues to recommend measures to promote social distancing at indoor activities.

This resolution is adopted on February 2, 2023 and is effective on the date signed by the Chair.

AYES:

NOES:

ABSTAIN:

Santa Barbara County Local Agency  
Formation Commission

By: \_\_\_\_\_  
Chair

Print name:

\_\_\_\_\_

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Natasha Carbajal, Analyst/Clerk  
Santa Barbara County  
Local Agency Formation Commission