

LAS POSITAS COLLEGE STUDENT GOVERNMENT

RESOLUTION 01-2021

RESOLUTION TO IMPLEMENT HYBRID TELECONFERENCING REQUIREMENTS DURING A PROCLAIMED STATE OF EMERGENCY

WHEREAS, the Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public and that any person may attend and participate in such meetings;

WHEREAS, the Brown Act allows for legislative bodies to hold meetings by teleconference, but imposes specific requirements for doing so;

WHEREAS, on March 17, 2020, in order to address the need for public meetings during the present public health emergency, Governor Newsom issued Executive Order No. N-29-20, suspending the Act's teleconferencing requirements; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order No. N-8-21, continuing the suspension of the Brown Act's teleconferencing requirements through September 30, 2021; and

WHEREAS, these Executive Orders allowed legislative bodies to meet virtually as long as certain notice and accessibility requirements were met; and

WHEREAS, the State Legislature amended the Brown Act through Assembly Bill No. 361 (AB 361) on September 16, 2021; and

WHEREAS, AB 361 amended the Brown Act so that a local agency may use teleconferencing without complying with the regular teleconferencing requirements of the Act, where the legislative body holds a meeting during a proclaimed state of emergency and makes certain findings; and

WHEREAS, Government Code section 54953 requires that the legislative body make additional findings every 30 days in order to continue such teleconferencing.

WHEREAS, The Chabot-Las Positas Community College District has a COVID-19 Vaccination Mandate (BP 5210 and BP 7330) in place as of August 31, 2021 and therefore unvaccinated and medically compromised officers would be unable to participate and fulfill their duties AND unvaccinated members and medically compromised of the public will be unable to attend and participate in-person meetings.

RESOLVED, The student legislative body of Las Positas Community College hereby finds, determines, declares, orders, and resolves as follows:

1. That the foregoing recitals are true and correct and incorporates them by this reference.
2. The Student Government of Las Positas Community College finds, by a majority vote, the following:
 - a. That there exists a proclaimed state of emergency;

AND either:

- b. The Student Government is meeting for the purpose of determining one of the following, or more than 30 days have passed since the Student Senate met and determined one of the following and the Senate now re-determines one of the following:
 - i. State or local officials have imposed or recommended measures to promote social distancing; OR
 - ii. As a result of the emergency, meeting strictly in person would present imminent risks to the health or safety of attendees.

OR

- c. The Student Senate has made the determination set forth in subdivision (b), above within the last 30 days and now makes the following determination:
 - i. The Student Senate has reconsidered the circumstances of the state of emergency;

AND

- ii. Any of the following circumstances exist:
 - 1. The state of emergency continues to directly impact the ability of the members to meet safely in person.
 - 2. State or local officials continue to impose or recommend measures to promote social distancing.
- 3. That the Student Government of Las Positas College will offer a hybrid option to Senate and Executive Board meetings to promote transparency, improve access, and respond appropriately to the State of Emergency and District policies.
 - a. An in-person location as well as teleconferencing information will be provided or designated by the Student Senate following Brown Act's agenda posting requirements.
 - b. And that the Student Senate can redetermine the hybrid option and opt to move strictly to an in-person OR to strictly teleconferencing meetings in accordance with AB 361 and The Brown Act.
- 4. That this Resolution shall take effect on January 1, 2022 and expire June 1, 2022.