



County of Santa Cruz

IN-HOME SUPPORTIVE SERVICES ADVISORY COMMISSION

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MICHAEL MOLESKY, CHAIR

SANTA CRUZ COUNTY IHSS ADVISORY COMMISSION'S FINDINGS PURSUANT TO ASSEMBLY BILL 361 AUTHORIZING TELECONFERENCE MEETINGS AS A RESULT OF THE CONTINUING COVID-19 PANDEMIC STATE OF EMERGENCY AND HEALTH OFFICER RECOMMENDATION FOR SOCIAL DISTANCING

WHEREAS, this IHSS Advisory Commission is a legislative body under the Brown Act as defined under Cal. Gov. Code section 54952(b) and Santa Cruz County Code Section 2.38.110; and

WHEREAS, on September 16, 2021, Governor Newsom signed Assembly Bill 361 ("AB 361"), urgency legislation effective immediately, that amended Government Code section 54953 to permit legislative bodies subject to the Brown Act to continue to meet under modified teleconferencing rules provided that they comply with specific requirements set forth in the statute; and,

WHEREAS, pursuant to AB 361 and Cal. Gov. Code section 54953(e)(1)(A), a legislative body may meet under the modified teleconferencing rules during a proclaimed state of emergency, and where local officials have imposed or recommended measures to promote social distancing; and

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic, and which remains in effect; and

WHEREAS, on September 30, 2021, Santa Cruz County Public Health Officer Dr. Gail Newel strongly recommended that legislative bodies in Santa Cruz County continue to engage in physical/social distancing by meeting via teleconference as allowed by AB 361 and confirmed that she will regularly review and reconsider this recommendation and notify the public when it is no longer recommended; and

WHEREAS, pursuant to AB 361 and Cal. Gov. Code section 54953(e)(3), within 30 days of the date the legislative body first holding a teleconferenced meeting under the modified rules, and every 30 days thereafter, a legislative body can continue to hold such teleconference meetings provided it has reconsidered the circumstances of the state of emergency and determined either that the state of emergency continues to directly impact the ability of the members to meet safely in person or that local officials continue to recommend measures to promote social distancing; and

WHEREAS, on October 22, 2021, the IHSS Advisory Commission held its initial teleconference meeting under AB 361; and

WHEREAS, this IHSS Advisory Commission has reconsidered the circumstances of the current state of emergency and finds that the COVID-19 pandemic continues to directly impact the ability of members of the public to participate safely in person and further finds that the Santa Cruz County Public Health Officer continues to recommend measures to promote social distancing; and

WHEREAS, in the interest of public health and safety, and due to the emergency caused by the spread of COVID-19, the IHSS Advisory Commission deems it necessary to utilize the modified teleconferencing rules set forth in AB 361;

NOW, THEREFORE, the IHSS Advisory Commission makes the following findings by a majority vote:

Section 1. The foregoing recitals are true and correct, and adopted as findings of the IHSS Advisory Commission.

Section 2. Effective immediately, and for the next 30 days, the IHSS Advisory Commission will meet via teleconference as authorized under AB 361 and Government Code section 54953(e)(3).

Section 3. No later than thirty (30) days from making today’s findings, or at the next scheduled meeting, the Commission will reconsider the circumstances of the COVID-19 state of emergency and, if necessary, adopt subsequent findings to continue holding teleconference meetings in accordance with Government Code section 54953(e)(3).

PASSED AND ADOPTED by the IHSS Advisory Commission in Santa Cruz, State of California, this 27th day of May, 2022, by the following vote:


- AYES: Molesky, Sones, Taylor, Andersen, Campbell, Irgang, Arreola
- NOES: None
- ABSENT: Fohrman
- ABSTAIN: None

Michael Molesky

 Chair, IHSS Advisory Commission

ATTEST: 

 Department Staff

Approved as to Form:


 Office of the County Counsel