

**SANTA BARBARA COUNTY SELPA
JOINT POWERS AGENCY BOARD**

Special Meeting

Friday, August 5, 2022

Public Session – 12:00 p.m.

Via ZOOM – Meeting ID: 814 6629 1386

On March 3, 2020, Governor Newsom proclaimed a State of Emergency due to COVID-19 and has issued Executive Order N-29-20 and approved AB361 suspending provisions of the Brown Act allowing meetings via teleconferencing and members of the public to observe and offer comments telephonically or electronically.

Agenda

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting or need this agenda provided in a disability-related alternative format, please contact the SBCSELPA Office at 683-1424. Prompt notification will assist the SBCSELPA to make suitable arrangements.

PUBLIC COMMENTS ARE WELCOME

The Santa Barbara County SELPA JPA Board will receive public comments about items appearing on today's agenda, as well as other matters within the subject matter jurisdiction of the Board. All such comments will be received during the Public Comments section of the agenda. Individuals who address the Board are limited to three (3) minutes to speak on any item and a total of 10 minutes on all items for their presentation. The Board may limit the total time for all public comment to 30 minutes. Persons needing additional time are requested to submit the information in writing.

For comments concerning matters not on the agenda, open meeting laws and fairness to other residents who may have an interest in your topic prohibit the Board from taking action or engaging in extended discussion of your concerns. The Board may direct staff to meet at a later date with speakers who have specific concerns or needs. The Board may also direct that an issue be placed on a future agenda for discussion and consideration. This permits the Board and staff members to prepare and receive necessary information and for the public to be aware that a topic is being formally considered. We appreciate your cooperation.

Due to COVID-19 and Governor Newsom’s Executive Order N-29-20 & approved AB361 this meeting is being held virtually, with the option to join at the physical location provided. If you wish to speak on an item listed on this agenda or under public comment, it is requested that you submit a speaker card in advance of the meeting please contact Lindsay MacDonald, lamacdonald@sbceo.org or (805) 683-1424, to request a form. Persons wishing to make public comments are requested to complete the appropriate form and return it to Lindsay MacDonald via email or another agreed upon method.

I. PUBLIC SESSION

- A. Call to Order
- B. Roll Call
- C. Flag Salute
- D. Welcome Guests

II. PUBLIC COMMENTS

Please refer to information above regarding public comment guidelines.

III. **APPROVAL OF ADDITIONAL EMERGENCY ITEMS** (Government Code Section 54954.3(b)(2))

IV. **APPROVAL OF ACTION AGENDA**

It is recommended that the JPA Board take action to approve the action agenda as presented/amended.

Motion: _____
Second: _____
In Favor: _____
Opposed: _____
Abstained: _____

V. **CONSENT AGENDA ITEMS** – No Consent Agenda.

VI. **PRESENTATION** – No Presentation.

VII. **ITEMS SCHEDULED FOR ACTION/CONSIDERATION**

- A. Resolution 21-22-07 Recognizing a State of Emergency and Authorizing Teleconferenced Meeting for Regular Board Meeting on May 2, 2022
 - 1. Resolution 21-22-07

REF: VII-A

It is recommended that the JPA Board approve Resolution 21-22-07 Authorizing the August 29, 2022 JPA Board Regular to be held virtually as presented.

Motion: _____
Second: _____
In Favor: _____
Opposed: _____
Abstained: _____

VIII. **ITEMS SCHEDULED FOR INFORMATION AND DISCUSSION** – No Items.

IX. **MISCELLANEOUS AGENDA ITEMS**

- A. Items Proposed for Future Action or Discussion
- B. Next Scheduled JPA Board Meeting: Date: August 29, 2022
 Time: 12:00 p.m.
 Location: Via Zoom due to COVID-19 & AB 361

X. **ADJOURNMENT**



Santa Barbara County
Special Education Local Plan Area
 A Joint Powers Agency

Date: August 5, 2022

To: SBCSELPA JPA Board

From: Ray Avila, SBCSELPA Executive Director

Re: Resolution 22-23-07 Recognizing a State of Emergency and Authorizing Teleconferenced Meetings

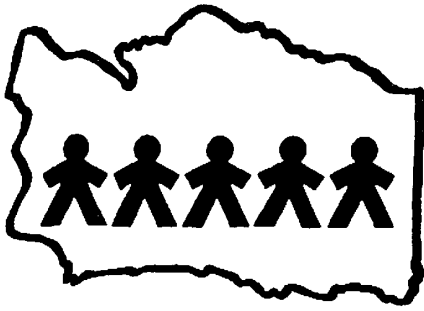
BACKGROUND:

- The SBCSELPA JPA Board meeting dates align with the 2022-23 Superintendents' Meeting schedule. This includes following how the Superintendents meetings are being held, virtual or in person.
- The adopted 22-23 meeting schedule has the following meeting dates scheduled to be held in-person: December 5, 2022, March 6, 2023, and June 5, 2023, at the Jonata Middle School Library in Buellton.
- Due to the COVID-19 pandemic, Governor Newsom adopted a series of Executive Orders allowing the legislative bodies of local governments to meet remotely via teleconference if other provisions of the Ralph M. Brown Act ("Brown Act") were followed they would not be considered in violation of the Brown Act.
- Additionally, on September 16, 2021, Governor Newsome signed AB 361, which immediately amended the Brown Act allowing governing boards to continue holding virtual meetings outside the teleconferencing requirements of Government Code section 54953(b), if the board makes a finding that there is a proclaimed State of Emergency, and either (1) state or local officials have imposed or recommended social distancing measures, or (2) meeting in person would present imminent risks to the health or safety of attendees due to the emergency. Governor Newsom declared a statewide emergency due to COVID-19 on March 2020, and social distancing measures have been recommended by the SBCPHD to mitigate the spread of COVID-19.
- According to the 2022-23 meeting schedule that was adopted by the JPA Board on June 6, 2022, the August 29, 2022 SBCSELPA JPA Board regular meeting is planned to be held virtually. In accordance with the Brown Act and the current resolution requirement that must be approved within 30 days of a virtual meeting, Resolution 21-22-07 is being presented to authorize a virtual meeting on August 29, 2022.

FISCAL IMPACT: None.

RECOMMENDATION: The JPA Board approve Resolution 22-23-07 Authorizing the August 29, 2022 JPA Board Regular to be held virtually as presented.

RA:lm



Santa Barbara County
Special Education Local Plan Area
 A Joint Powers Agency

Resolution 22-23-07
Recognizing a State of Emergency and
Authorizing Teleconferenced Meetings

WHEREAS, in response to the novel coronavirus (“COVID-19”) pandemic, Governor Newsom adopted a series of Executive Orders allowing the legislative bodies of local governments to meet remotely via teleconference so long as other provisions of the Ralph M. Brown Act (“Brown Act”) were followed; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361, which immediately amended the Brown Act allowing governing boards to continue holding virtual meetings outside the teleconferencing requirements of Government Code section 54953(b), if the board makes a finding that there is a proclaimed State of Emergency, and either (1) state or local officials have imposed or recommended social distancing measures, or (2) meeting in person would present imminent risks to the health or safety of attendees due to the emergency; and

WHEREAS, on March 4, 2020, Governor Newsom declared a statewide emergency arising from COVID-19 pursuant to Government Code section 8625; and

WHEREAS, social distancing measures have been recommended by the Santa Barbara County Public Health Department to mitigate the spread of COVID-19; and

WHEREAS, the Santa Barbara County SELPA JPA Board is committed to open and transparent governance in compliance with the Brown Act; and

WHEREAS, the Santa Barbara County SELPA JPA Board is conducting virtual meetings by way of telephonic and/or internet-based services as to allow members of the public to fully participate in meetings and offer public comment.

5385 Hollister Avenue, Bldg. 7 • Santa Barbara, California 93111 • (805) 683-1424

Mailing Address: 5385 Hollister Avenue, Box 107 • Santa Barbara, California 93111

fax – (805) 967-1960 • selpa@sbceo.org

NOW THEREFORE, BE IT RESOLVED, by the Santa Barbara County SELPA JPA Board:

1. The Santa Barbara County SELPA JPA Board has reconsidered the circumstances of the State of Emergency and recognizes that the State of Emergency in the State of California continues to exist due to the COVID-19 pandemic;
2. The Santa Barbara County SELPA JPA Board recognizes that social distancing measures remain recommended by state and local officials;
3. The Santa Barbara County SELPA JPA Board authorizes the use of teleconferencing for all meetings in accordance with Government Code section 54953(e) and all other applicable provisions of the Brown Act, for a period of thirty (30) days from the adoption of this resolution, or such a time that the Governing Board adopts a subsequent resolution in accordance with Government Code section 54953(e)(3).

PASSED AND ADOPTED by the Santa Barbara County SELPA JPA Board on **August 5, 2022**, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA
COUNTY OF SANTA BARBARA

I, **Ray Avila**, Clerk/Secretary of the Governing Board, do hereby certify that the foregoing is a full and correct copy of a resolution duly passed and adopted by said Board at a regularly called and conducted meeting held on said date:

Clerk/Secretary of the JPA Governing Board

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