City of Ukiah / Ukiah Valley Fire District
Ukiah Valley Fire Authority
Fire Executive Committee Special Meeting

AGENDA

To participate or view the virtual meeting, go to the following link: https://zoom.us/j/92044541021
Or Dial Toll-Free: 1-833-548-0276 or 833-548-0282
To raise hand: enter *9; To Speak: after being recognized, enter *6 to unmute
Or One tap mobile (for easy connection on smartphones):
US: +16699009128,,92044541021# or +13462487799,,92044541021#
To view the meeting go to: http://www.cityofukiah.com/meetings/

April 12, 2022 - 5:00 PM

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1. ROLL CALL AND PLEDGE OF ALLEGIANCE

2. ANNOUNCEMENTS

3. PUBLIC COMMENT ON NON-AGENDA ITMES

If you wish to speak on a matter that is not on this agenda, you may do so at this time. Please limit your comments to 3 minutes per person and a total of 10 minutes per subject. The Brown Act regulations do not allow action to be taken on audience comments in which the subject is not listed on the agenda.

4. APPROVAL OF MINUTES

4.a. Approval of the Minutes of March 8, 2022, a Fire Executive Committee Special Meeting

Recommended Action: Approve the Minutes of March 8, 2022, a Fire Executive Committee Special Meeting

Attachments:
1. March 8, 2022, Fire Executive Committee Special Meeting Minutes - DRAFT

5. CONSENT CALENDAR

The following items listed are considered routine and will be enacted by a single motion and roll call vote by the Ukiah Valley Board of Directors. Items may be removed from the Consent Calendar upon request of a Board Member or a citizen, in which event the item will be considered at the completion of all other items on the agenda. The motion by the Board of Directors on the Consent Calendar will approve and make findings in accordance with the Administrative Staff and/or the Board of Directors' recommendations.

5.a. Adoption of a Resolution of the Fire Executive Committee Reconsidering the Circumstances of the State of Emergency and Implementing Teleconferencing Requirements for the Fire Executive Committee Meetings During a Proclaimed State of Emergency Due to the COVID-19 Pandemic.

Recommended Action: Adopt the Resolution of the Fire Executive Committee Reconsidering the Circumstances of the State of Emergency and Implementing Teleconferencing Requirements for the Fire Executive Committee Meetings During a Proclaimed State of Emergency Due to the COVID-19 Pandemic.

Attachments:
1. Fire Executive Committee Resolution to Continue Remote Teleconferencing Meetings-Draft

6. NEW BUSINESS - DISCUSSION/ACTION

7. UNFINISHED BUSINESS - DISCUSSION/ACTION

8. CHIEFS REPORTS AND VOLUNTEERS REPORT

9. CLOSED SESSION

- Closed Session may be held at any time during the meeting

10. ADJOURNMENT

Please be advised that the Ukiah Valley Fire Authority needs to be notified 72 hours in advance of a meeting if any specific accommodations or interpreter services are needed in order for you to attend. The Ukiah Valley Fire Authority complies with ADA requirements and will attempt to reasonably accommodate individuals with disabilities upon request. Materials related to an item on this Agenda submitted to the Ukiah Valley Fire Authority after publication will be available online at the end of the next business day.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted at the following locations: Ukiah Valley Fire District Office - 1500 South State Street; Ukiah Civic Center - 300 Seminary Ln. Ukiah, California, not less than 24 hours prior to the meeting set forth on this agenda.

Stephanie Abba, Clerk of the Board
Dated: 4/8/2022

UKIAH VALLEY FIRE AUTHORITY
FIRE EXECUTIVE COMMITTEE
Special Meeting Minutes

Meeting held Virtually: https://zoom.us/j/92044541021

March 8, 2022
5:00 p.m.

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1. **ROLL CALL AND PLEDGE OF ALLEGIANCE**

The Fire Executive Committee met for a Special Meeting on March 8, 2022, which was legally noticed on March 4, 2022; and held at the following virtual link: https://zoom.us/j/92044541021. Chair Bushby called the meeting to order at 5:00 p.m. Roll was taken with the following **Committee Members Present:** Jenifer Bazzani, Jim O. Brown, Juan Orozco, and Pete Bushby. **Staff Present:** Doug Hutchison, Fire Chief; Justin Buckingham, Battalion Chief; and Stephanie Abba, Clerk of the Board.

The Pledge of Allegiance was led by Member Brown.

2. **ANNOUNCEMENTS**

No announcements were given.

3. **PUBLIC COMMENT**

No public comment was received.

4. **CONSENT CALENDAR**

a. Adoption of a Resolution of the Fire Executive Committee Reconsidering the Circumstances of the State of Emergency and Implementing Teleconferencing Requirements for the Fire Executive Committee Meetings During a Proclaimed State of Emergency Due to the COVID-19 Pandemic.

Presenter: Member Brown

Motion/Second: Bazzani/Bushby to adopt a Resolution of the Fire Executive Committee Reconsidering the Circumstances of the State of Emergency and Implementing Teleconferencing Requirements for the FEC Meetings During a Proclaimed State of Emergency Due to the COVID-19 Pandemic. Motion **carried** by the following roll call votes: AYES: Bazzani, Brown, Orozco, and Bushby. NOES: None. ABSENT: None. ABSTAIN: None.

5. **APPROVAL OF MINUTES**

a. Approval of the Minutes of January 11, 2022, a Special Meeting.

Motion/Second: Bazzani/Brown to Approve the Minutes of January 11, 2022, a Special Meeting, Motion **carried** by the following roll call votes: AYES: Bazzani, Brown, Orozco, and Bushby. NOES: None. ABSENT: None. ABSTAIN: None.

b. Approval of the Minutes of February 8, 2022, a Special Meeting.

Motion/Second: Bazzani/Brown to Approve the Minutes of February 8, 2022, a Special Meeting, Motion **carried** by the following roll call votes: AYES: Bazzani, Brown, Orozco, and Bushby. NOES: None. ABSENT: None. ABSTAIN: None.

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6. UNFINISHED BUSINESS – DISCUSSION/ACTION

No unfinished business was agendized

7. NEW BUSINESS – DISCUSSION/ACTION

No new business was agendized

8. CHIEFS REPORTS AND VOLUNTEERS REPORT

Chiefs report received

9. CLOSED SESSION

No closed session was held

10. ADJOURNMENT

There being no further business, the meeting adjourned at 5:08 p.m.

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Stephanie Abba, Clerk of the Board

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AGENDA SUMMARY REPORT

SUBJECT: Adoption of Resolution of the Fire Executive Committee Reconsidering the Circumstances of the State of Emergency and Implementing Teleconferencing Requirements for the Fire Executive Committee Meetings During a Proclaimed State of Emergency Due to the COVID-19 Pandemic.

DEPARTMENT: Fire **PREPARED BY:** Stephanie Abba, Administrative Secretary
PRESENTER: Stephanie Abba, Clerk of the Board

ATTACHMENTS:
1. 2022- Resolution to Reconsider the Circumstances of the State of Emergency

Summary: The Fire Executive Committee will consider adopting a resolution reconsidering the circumstances of the state of emergency and implementing teleconferencing requirements of emergency due to the COVID-19 pandemic.

Background: The Fire Executive Committee is being asked to consider adopting a resolution authorizing continued remote meetings of the Fire Executive Committee due to the imminent risk to the health and safety of attendees due to possible transmission of COVID-19 and the recent spread of variants. The current county health orders require masking in all indoor facilities due to health and safety concerns. The Delta variant is highly transmissible in indoor settings and requires multi-component prevention strategies to reduce its spread. The California Department of Public Health is currently investigating the length of vaccine protection. The Center for Disease Control and Prevention recommends avoiding indoor spaces that do not offer fresh air from the outdoors as much as possible. Returning to a meeting in a board room means being in an enclosed space for meetings that commonly last for one to two hours and would seem to create additional exposure for participants to possible transmission of the virus.

The Ralph M. Brown Act ("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. The Brown Act allows for legislative bodies to hold meetings by teleconference, but imposes specific requirements for doing so, including allowing public access to that location. On March 17, 2020, in order to address the need for public meetings during the COVID-19 pandemic, Governor Newsom issued Executive Order No. N-29-20, temporarily suspending the Brown Act's teleconferencing requirements, Executive Order No. N-8-2 then continued the suspension of the Brown Act's teleconferencing requirements from June 11, 2021, through September 30, 2021. These Executive Orders allowed legislative bodies to meet virtually as long as certain notice and accessibility requirements were met.

The State Legislature amended the Brown Act through Assembly Bill No. 361 ("AB361") on September 16, 2021. As with the Executive Orders, AB 361 requires that certain notice and accessibility requirements continue to be met for holding virtual public meetings. In addition, AB 361 states that a local agency may use teleconferencing without complying with the regular teleconferencing requirements of the Brown Act, where the legislative body holds a meeting during a proclaimed state of emergency and makes certain findings; and requires that the legislative body make additional findings every 30 days in order to continue such teleconferencing.

As such, staff recommends that the Committee reconsider the circumstances of the state of emergency, and make findings regarding the state of emergency by adopting the Resolution Implementing Teleconferencing

Requirements for the Fire Executive Committee Meetings During a Proclaimed State of Emergency Due to the COVID-19 Pandemic ("Resolution") attached here as Attachment 1.

Discussion: AB 361, codified in part in the Government Code 54953, allows a local agency legislative body to hold a public meeting utilizing teleconferencing without giving the public access to a teleconference location but allowing public comment virtually if the Governor has proclaimed a State of Emergency and any of the following circumstances also apply:
1. State and local officials have imposed or recommended measures to promote social distancing.
2. The meeting is being held for the purposes of determining, by majority vote, whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
3. The legislative body has determined that as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

As amended by AB 361, Government Code 54953(e)(3) requires cities that are conducting public meetings via teleconferencing during a declared State of Emergency to make findings, within 30 days of the first virtual meeting after AB 361 going into effect, and every 30 days thereafter, that the legislative body has reconsidered the circumstances of the state of emergency and either 1) the emergency continues to impact the ability to meet safely in person, and/or 2) State of local officials continue to impose or recommend social distancing.

The Committee adopted these findings at their January 11, 2022, meeting. The Committee must now adopt, via this Resolution (Attachment 1), the findings that confirm the circumstances of the state of emergency and justify holding public meetings of the Fire Executive Committee utilizing teleconference and allowing public comment virtually, pursuant to Government Code 54953(e)(3).

Recommended Action: Adopt the Resolution of the Fire Executive Committee Reconsidering the Circumstances of the State of Emergency and Implementing Teleconferencing Requirements for the Fire Executive Committee Meetings During a Proclaimed State of Emergency Due to the COVID-19 Pandemic.

BUDGET AMENDMENT REQUIRED: N/A

CURRENT BUDGET AMOUNT: N/A

PROPOSED BUDGET AMOUNT: N/A

FINANCING SOURCE: N/A

PREVIOUS CONTRACT/PURCHASE ORDER NO.: N/A

COORDINATED WITH:

Approved:

Doug Hutchison, Fire Chief

RESOLUTION NO. 2022-

RESOLUTION OF THE FIRE EXECUTIVE COMMITTEE TO CONTINUE REMOTE TELECONFERENCED MEETINGS DURING A PROCLAIMED STATE OF EMERGENCY DUE TO THE COVID-19 PANDEMIC

WHEREAS:

1. The Fire Executive Committee is committed to preserving and nurturing public access and participation in meetings of the Fire Executive Committee; and

2. All meetings of the Fire Executive Committee are open and public, as required by the Ralph M. Brown Act, so that any member of the public may attend, participate, and watch the Fire Executive Committee conduct its business;

3. The Brown Act allows for legislative bodies to hold meetings by teleconference, but imposes specific requirements for doing so; and

4. On March 17, 2020, in order to address the need for public meetings during the present public health emergency, i.e. the COVID-19 Pandemic, Governor Newsom issued Executive Order No. N-29-20, suspending the Act's teleconferencing requirements; and

5. 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

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

7. AB 361, codified in part at Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

8. Such conditions now exist in the County of Mendocino, specifically, the Governor has proclaimed a state of emergency exists for the state of California due to the conditions caused by the COVID-19 pandemic and the impact on the health and safety of its residents; and

9. The Delta variant is highly transmissible in indoor spaces, the California Department of Public Health is currently investigating how long vaccine protection lasts, and the Center for Disease Control and Prevention recommends avoiding indoor spaces that do not offer fresh air from the outdoors;

10. Current County health orders impose or measures to promote social distancing due to health and safety concerns; and

11. In accordance with Assembly Bill 361, the Fire Executive Committee does hereby find that as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, staff, and the Fire Executive Committee desires to authorize continued remote teleconferenced meetings; and

12. As a consequence of the local emergency, the Fire Executive Committee does hereby find that it shall conduct its meetings without compliance with Government Code § 54953(b)(3), as authorized by § 54953(e), and that it shall comply with the requirements to provide the public with access to the meetings as prescribed in § 54953(e)(2); and

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13. The Fire Executive Committee has taken measures to conduct public meetings via virtual tools that allow its members and members of the public to join and participate in meetings remotely and provide public testimony in the virtual environment and via teleconference.

NOW, THEREFORE, the Fire Executive Committee Board of Directors hereby finds, determines, declares, orders, and resolves as follows:

1. That the foregoing recitals are true and correct and incorporates them by this reference; and

2. The Governor of the State of California issued a Proclamation of State of Emergency, which remains in effect; and

3. County of Mendocino officials have imposed or recommended measures to promote social distancing; and

4. Meeting in person would present an imminent risk to the health or safety of attendees; and

5. The Fire Executive Committee has reconsidered the circumstances of the State of Emergency, and finds that:

a. The factors triggering the State of Emergency continue to directly impact the ability of the members of the Fire Executive Committee, the staff, and members of the public to meet safely in person; and

b. State and County officials continue to impose or recommend measures to promote social distancing.

6. The Fire Executive Committee is authorized to continue to take all steps and perform all actions necessary to execute and implement this Resolution in compliance with Government Code § 54953; and

7. This Resolution shall take effect immediately upon its adoption in accordance with Government Code section 54953(e)(3) to extend the time during which the Fire Executive Committee may continue to teleconference without compliance with paragraph (3) of subdivision (b) of § 54953(b)(3).

PASSED AND ADOPTED this 12th day of April 2022, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Peter Bushby, Chair

ATTEST:

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Stephanie Abba, Clerk of the Board

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