



BOARD OF DIRECTORS SPECIAL MEETING AGENDA

Wednesday January 5th, 2022
Special Meeting, 4 p.m. by Teleconference/Zoom
Closed Session (Teleconference/Zoom) to follow Special Meeting

On March 17, 2020, the Governor issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings telephonically or by or by other electronic means. Pursuant to the Shelter-in-Place Order issued by the San Mateo County Health Officer on March 16, 2020, the statewide Shelter-in-Place Order issued by the Governor in Executive Order N-33-20 on March 19, 2020, and the CDC's social distancing guidelines which discourage large public gatherings, the Council Chambers at Burlingame City Hall and Hillsborough Town Hall are closed to the public.

This meeting will be conducted via Zoom, an independent virtual meeting platform. Members of the public may join the meeting by logging onto the Zoom meeting listed below.

<https://us02web.zoom.us/j/81060388084?pwd=ZEp3cjFXblFFSEt3aElZRng3ZDVldz09>

Meeting ID: 810 6038 8084

Passcode: 836301

One tap mobile

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Find your local number: <https://us02web.zoom.us/u/kr1z1q6B1>

TELECONFERENCE PARTICIPANTS

Board Members Ricardo Ortiz, Michael Brownrigg, Marie Chuang and Sophie Cole will participate by teleconference pursuant to Governor Newsom's Executive Order N-25-20

Pursuant to Ralph M. Brown Act, Government Code Section 54953, all votes shall be by roll call due to Board Members Ricardo Ortiz, Michael Brownrigg, Marie Chuang and Sophie Cole participating by teleconference.

Any requests for reasonable accommodation should be addressed to Rubina Ellam at publiccomment@ccfd.org or 650-558-7600.



1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL OF MINUTES

There are no minutes to approve.

5. REPORT OUT FROM CLOSED SESSION

- a. Report out from closed session of December 8, 2021

6. PUBLIC COMMENTS – NON-AGENDA

The Ralph M. Brown Act (the State local agency open meeting law) prohibits the Board from acting on any matter which is not on the agenda. It is the policy of the Board to refer such matters to staff for investigation and/or action. For purposes of this teleconference meeting, members of the public may provide written comments by email to publiccomment@ccfd.org. Emailed comments should include the specific agenda item on which you are commenting on or note that your comment concerns an item that is not on the agenda. The length of the emailed comment should be commensurate with the three minutes allowed for verbal comments, which is approximately 250-300 words. To ensure your comment is received and read to the Board of Directors for the appropriate agenda item, please submit your email no later than 3 p.m. on Wednesday, December 8, 2021.

7. CONSENT CALENDAR

- a. Resolution Finding that Meetings of the Central County Fire Department Fire Board via Teleconference protect against the ongoing and imminent health and safety risks posed by COVID-19 and determining that all such meetings will continue to be by teleconference pursuant to California Government Code Section 54953(e)

8. PUBLIC HEARING

There are no public hearing items for this meeting.

9. STAFF REPORTS

There are no staff reports for this meeting.

10. BOARD OF DIRECTORS' COMMENTS

11. ADJOURN TO CLOSED SESSION

12. CLOSED SESSION

- a. Conference with Labor Negotiator for Central County Firefighters Union (Fire Captains, Firefighters, Fire Inspector and Deputy Fire Marshal) and Fire Administrators (Battalion Chiefs and Fire Marshal) (GC#54957.6(a)). Agency Negotiators: Kristin Armbruster, HR Manager, Town of Hillsborough, and Timothy Davis, Attorney, Burke, Williams & Sorensen

13. REPORT OUT FROM CLOSED SESSION

The report out will be made at the next regular meeting on February 9, 2022.

14. ADJOURN FROM CLOSED SESSION



AGENDA ITEM: 7a

STAFF REPORT

MTG. DATE: January 5, 2022

TO: Board of Directors

DATE: January 5, 2022

FROM: Jean Savaree, Department Counsel

APPROVED BY: *Ann Ritzma*
Ann E. Ritzma, CAO

SUBJECT: Resolution Finding that Meetings of the Fire Board via Teleconference protect against the ongoing and imminent health and safety risks posed by COVID-19 and determining that all such meetings will continue to be by teleconference pursuant to California Government Code Section 54953(e)

Recommendation:

Staff recommends that the Fire Board adopt the attached resolution, making the findings required under AB 361 (California Government Code Section 54953) to continue holding public meetings of the Fire Board by Zoom videoconference/teleconference to allow Board members, staff, and the public to attend meetings remotely.

Background and Discussion:

On December 8, 2021, the Fire Board approved a resolution that made the findings required to continue the Fire Board's practice of holding public meetings via Zoom teleconference pursuant to AB 361 (California Government Code Section 54953).

Specifically, the resolution found that:

- 1) the declared state of emergency remains in effect;
- 2) State or local officials have imposed or recommended measures to promote social distancing; and
- 3) meeting in person would present imminent risks to the health and safety of attendees.

Pursuant to AB 361, the Board's findings and authorization to continue meeting remotely cannot remain effective for more than thirty (30) days. As such, the Board must reconsider its determination at each of its meetings to reauthorize remote meetings until the Board no longer believes remote meetings are necessary.

The attached resolution mirrors the findings made by the Fire Board on December 8, 2021. Staff believes that these findings can be made again. As discussed in the staff report

accompanying the resolution December 8, the San Mateo County Health Officer's most recent distancing order requires face coverings to be worn in all indoor public settings (Order No. c19-12, dated August 2, 2021). This face covering order is based on the threat of COVID-19 transmission, which is still prevalent. The face covering mandate issued through Order No. c19-12 attempts to balance that threat of transmission with the "strategy to support the continued operations of businesses, activities, and schools." The Order finds that "Universal indoor use of face coverings, also known as masking, is the least disruptive and most immediately impactful additional measure to take."

On December 15, 2021, the California Department of Public Health (CDPH) issued its own statewide mask requirement for anyone in an indoor public place. CDPH indicated that this measure was necessary due to a recent increase in coronavirus cases. This Order will remain in effect through at least January 15, 2022.

On December 1, 2021, it was announced that the first documented case of the "Omicron" variant of the coronavirus in the United States had been discovered in the San Francisco Bay Area. The Center for Disease Control (CDC) notes that the Omicron variant spreads quicker and easier than prior known variants, including the prior dominant variant, "Delta." Also according to the CDC, Omicron now has a doubling time of 2 to 3 days.

Much like the justification for implementing the face covering requirement articulated by the San Mateo County Health Officer, continuing to allow remote participation in meetings is one of the least disruptive methods the Fire Board can utilize to protect against the ongoing threat of COVID-19 transmission. COVID-19 spreads easily and quickly through airborne droplets, particularly when indoors. While face coverings can suppress transmission, they cannot eliminate the threat. Conducting meetings in hybrid format allows attendees to fully participate in each meeting without requiring that they gather in the same indoor space. Further, it allows members of public, staff, and members of the Council, Commission, or Board to participate in meetings even if they have been exposed to COVID-19 or are experiencing symptoms of COVID-19.

Should the Fire Board approve the attached resolution, it would continue the practice of holding all public meetings of the Fire Board by Zoom. The Fire Board would revisit this determination at its next meeting, and each subsequent meeting, until the time that it no longer finds remote meetings necessary.

Conclusion

As the California state of emergency in response to COVID-19 remains effective and because the CDPH and San Mateo County Health Officer requires face coverings for certain people and for everyone in indoor public locations, Staff recommends that the Fire Board approve the attached resolution, which makes the findings required under AB 361 to continue meeting remotely by Zoom teleconference.

Attachments:

1. Resolution Finding that Meetings of the Fire Board via Teleconference protect against the ongoing and imminent health and safety risks posed by COVID-19 and determining that all such meetings will continue to be by teleconference pursuant to California Government Code Section 54953(e)

RESOLUTION NO. 22-01

RESOLUTION OF THE CENTRAL COUNTY FIRE DEPARTMENT FIRE BOARD FINDING THAT MEETINGS OF THE FIRE BOARD VIA TELECONFERENCE PROTECT AGAINST THE ONGOING AND IMMINENT HEALTH AND SAFETY RISKS POSED BY COVID-19 AND DETERMINING THAT ALL SUCH MEETINGS WILL CONTINUE TO BE BY TELECONFERENCE PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54953(e)

WHEREAS, on March 4, 2020, the Governor declared a state of emergency in response to the COVID-19 pandemic and California remains in a declared state of emergency; and

WHEREAS, on March 17, 2020, the Governor issued Executive Order N-29-20, temporarily suspending certain provisions of the Ralph M. Brown Act to allow local agencies to hold public meetings teleconference; and

WHEREAS, through subsequent Executive Orders, local agencies were able to continue holding public meetings by teleconference through September 30, 2021; and

WHEREAS, on an emergency basis, on September 16, 2021, the State adopted AB 361, codified at California Government Code Section 54953, which allows local agencies to continue meeting by teleconference under certain circumstances and after making certain findings; and

WHEREAS, the Central County Fire Department Fire Board has met by videoconference since March 2020 and found it to be an effective method of receiving public input, holding deliberations, and conducting the general business of the Board; and

WHEREAS, remote meetings held by videoconference, which also allow attendees to participate by telephone, allow attendees of the meetings to avoid the risk of potential COVID-19 exposure and allows those that may have been exposed or experiencing symptoms of COVID-19 to participate in meetings without posing a threat to other attendees; and

WHEREAS, Order No. C19-12 of the San Mateo County Health Officer, which was issued August 2, 2021, remains in effect and “directs that face coverings shall be worn, regardless of vaccination status, over the mouth and nose, in all indoor public settings...”; and

WHEREAS, the San Mateo County Health Officer’s Order No. c19-12 was based on new evidence on the B.1.617.2 (Delta) variant of the COVID-19 virus which led the Center for Disease Control (CDC) to recommend face coverings for fully-vaccinated persons in indoor public settings and the California Department of Public Health to recommend universal masking in indoor public settings; and

WHEREAS, due to an increase in coronavirus cases, on December 15, 2021, the California Department of Public Health issued a statewide requirement that all persons wear face coverings while in indoor public places through at least January 12, 2022; and

WHEREAS, on December 1, 2021, it was announced that the first documented case of the “Omicron” variant of the coronavirus in the United States had been discovered in the San Francisco Bay Area; and

WHEREAS, in a matter of weeks, Omicron became the dominant variant of COVID-19 and is believed to spread quicker and easier than prior known variants; and

WHEREAS, early research has shown that vaccinations are less effective in protecting against the Omicron variant than prior known variants; and

WHEREAS, on December 8, 2021, the Fire Board considered the imminent risk to the health and safety of attendees at in-person meetings and the distancing measures required and recommended by Federal, State, and local health officials; and

WHEREAS, after such consideration, the Fire Board directed by resolution adopted on December 8, 2021, that all meetings of the Fire Board would continue to be held remotely via Zoom videoconference; and

WHEREAS, the Fire Board has reconsidered its direction to continue meeting remotely and again finds that meeting remotely continues to be necessary due to the ongoing threat of COVID-19.

NOW, THEREFORE, BE IT RESOLVED, that Central County Fire Department Fire Board does find and declare as follows:

1. Since March 4, 2020, and continuing through the date of this Resolution, there has been a declared state of emergency in California in response to the COVID-19 pandemic; and
2. The California Department of Public Health currently requires face coverings to be worn in indoor public settings as a social distancing measure; and
3. Order No. c19-12 of the San Mateo County Health Officer requires face coverings be worn in all indoor public settings and recommends face coverings in other settings and for specific at-risk groups; and
4. Holding meetings in person creates an imminent risk to the health and safety of attendees because, as stated in Order No. c19-12 of the San Mateo County Health Officer, "household transmission and small gatherings are major drivers of COVID-19 transmission in San Mateo County"; and
5. Holding remote meetings by videoconference/teleconference will prevent the possibility of COVID-19 transmission during those meetings and allow those who are at-risk or potentially suffering COVID-19 symptoms to participate in meetings without physically attending.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Fire Board directs that, for at least the next thirty days, after which time the Fire Board will review and determine whether this action remains necessary to protect the health and safety of meeting attendees, the Fire Board shall hold meetings remotely by Zoom videoconference. Any public comment period at any such meeting shall allow comments from members of the public attending remotely in the same form and fashion as would be taken during an in-person meeting. If at any time during any such meeting the ability to broadcast the meeting and accept public comments from remote attendees is disrupted, the Fire Board shall recess until the disruption is resolved or continue the meeting to a later date when videoconference/teleconference participation can be restored.

Approved at a special meeting of the Board of Directors by teleconference this 5th day of January, 2022.

Signed: _____

Ricardo Ortiz, Chair

Attest: _____

Rubina Ellam, Secretary

I hereby certify that the foregoing is a true and correct copy of Resolution 22-01 adopted by the Board of Directors of the Central County Fire Department, San Mateo County, California, at its regular meeting held on the 8th day of December, 2021 by the following vote of the members thereof:

AYES: Board Members: _____

NOES: Board Members: _____

ABSENT: Board Members: _____

ABSTAIN: Board Members: _____