



Westport Municipal Advisory Council

P. O. Box 307, Westport, CA 95488
www.westportmac.org

December 3, 2021

MEETING NOTICE & Agenda

Date December 7th, 2021

Meeting WMAC Board

by Zoom at 7pm

For details contact WMAC95488@gmail.com

I. Role Call of Council Members and Acknowledgment of Public Guests.

(Acknowledge absence of Council Member Secretary Quinton and need for replacement at this meeting)

II. Brown Act - Findings for Digital, Virtual Public Meetings.

Members of the Mendocino County Boards and Commissions,

Beginning November 1, 2021, Brown Act boards, commissions, committees and other bodies in Mendocino County will need to adopt findings every thirty (30) days in order to continue holding virtual meetings at which one or more members are participating from a location not open to the public. Government Code section 54953(e)(3) requires each body to determine that (1) it has “reconsidered the circumstances of the state of emergency” and that (2) the state or local Health Officer “continue[s] to impose or recommend measures to promote social distancing.” A draft resolution with the required findings is included herein.

Under normal conditions, the Brown Act authorizes the use of teleconferencing for public meetings if and only if every location from which a member is participating is open to the public. Gov. Code § 54953(b)(3). Governor Newsom temporarily suspended that requirement due to the COVID-19 pandemic. See Executive Orders N-29-20, N-35-20. On October 1, 2021, the Governor’s executive orders expired and were replaced by new legislation governing this topic (AB 361).

Under these new rules, a Brown Act body may continue to meet with some or all its members participating virtually during a proclaimed state of emergency if “state or local officials have imposed or recommended measures to promote social distancing.” Gov. Code § 54953(e)(1)(A). Mendocino County’s Public Health Officer issued such a recommendation on September 29, 2021 (attached). However, to continue meeting in this manner, each Brown Act body is required to adopt findings every thirty (30) days demonstrating that it has reconsidered the circumstances of the emergency and verified that the Health Officer’s guidance is still current.

The first such finding needs to be made at the first meeting thirty (30) days after the first virtual meeting authorized under the statute. Gov. Code § 54953(e)(3). For any Brown Act body that met during the month of October, this will most likely require the necessary findings to be adopted at its first meeting in November. County Counsel recommends adding the attached resolution to that meeting’s agenda and renewing the item on a monthly basis. However, for those Brown Act bodies which do not regularly meet monthly, we do not interpret this new statute to require you to meet monthly for the sole purpose of adopting this resolution. In line with other jurisdictions and consistent with the statute’s

intent, we recommend that the attached resolution be addressed anew at the outset of each meeting. Please note that, as part of this process, Brown Act bodies should also confirm that they are checking the Public Health Officer's guidance each month to see if it is still current.

III. Approval of Prior Meeting Minutes.

IV. Public Expression - (Discussion Only)

The WMAC welcomes public participation in Council meetings. Comments Provided in the Public Expression portion of the agenda are for matters under the jurisdiction of the Council (planning issues, local infrastructure and safety). The Council may limit testimony on non-agenda items to 3 minutes per person and 10 minutes per subject. No action shall be taken at the same Meeting on public expression items, but the matter may be placed on a future WMAC agenda for action if appropriate.

V. Old Business

- A) State Law Regarding Blues Beach Legislative Director Mr. Christopher Nielsen
- B) County Transportation Plan Lead Council Member Mr. Van Bueren (if available)
- C) Abandoned Vehicles Letter Update Lead Council Member Chair Mr. Scott
- D) Chato Road Letter Lead Council Member Chair Mr. Scott (in the absence of Lead Council Member Mr. Quinton)
- E) WMAC Website Lead Council Lead Member Mr. Knapp

VI. New Business

- A) Timber Harvest Plan for Wages Creek Watershed Lead Council Member Mr. Van Bueren (if available)
- B) Coastal Tsunami Danger and Warning Lead Council Nominee Mr. Oakes
- C) Mendocino County 911 System Lead Council Member Ms. Grigg

VII. Announcements /Correspondence

- A) Invitation from Redwood Valley Municipal Advisory Council to meet.

VIII. Set Preliminary Agenda for January Meeting

IX. Adjournment