

To: LGBTQ Commission
From: Tanya Beat, Director
Subject: Resolution to make findings allowing continued remote meetings under Brown Act

RECOMMENDATION:

Adopt a resolution finding that, as a result of the continuing COVID-19 pandemic state of emergency declared by Governor Newsom, meeting in person would present imminent risks to the health or safety of attendees.

BACKGROUND:

On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which rescinded his prior Executive Order N-29-20 and set a date of October 1, 2021 for public agencies to transition back to public meetings held in full compliance with the Brown Act. The original Executive Order provided that all provisions of the Brown Act that required the physical presence of members or other personnel as a condition of participation or as a quorum for a public meeting were waived for public health reasons. If these waivers fully sunsetted on October 1, 2021, legislative bodies subject to the Brown Act would have to contend with a sudden return to full compliance with in-person meeting requirements as they existed prior to March 2020, including the requirement for full physical public access to all teleconference locations from which board members were participating.

On September 16, 2021, the Governor signed AB 361, a bill that formalizes and modifies the teleconference procedures implemented by California public agencies in response to the Governor's Executive Orders addressing Brown Act compliance during shelter-in-place periods. AB 361 allows a local agency to continue to use teleconferencing under the same basic rules as provided in the Executive Orders when certain circumstances occur or when certain findings have been made and adopted by the local agency.

AB 361 also requires that, if the state of emergency remains active for more than 30 days, the agency must make findings by majority vote every 30 days to continue using the bill's exemption to the Brown Act teleconferencing rules. The findings are to the effect that the need for teleconferencing persists due to the nature of the ongoing public health emergency and the social distancing recommendations of local public health officials. Effectively, this means that local agencies must agendaize a Brown Act meeting once every thirty days to make findings regarding the circumstances of the emergency and to vote to continue relying upon the law's provision for teleconference procedures in lieu of in-person meetings.

AB 361 provides that Brown Act legislative bodies must return to in-person meetings on October 1, 2021, unless they choose to continue with fully teleconferenced meetings because a specific declaration of a state or local health emergency is appropriately made. AB 361 allows local governments to continue to conduct virtual meetings as long as there is a gubernatorially-proclaimed public emergency in combination with (1) local health official recommendations for social distancing or (2) adopted findings that meeting in person would present risks to health. AB 361 is effective immediately as urgency legislation and will sunset on January 1, 2024.

Further, the Board of Supervisors strongly encourages all legislative bodies of the County of San Mateo that are subject to the Brown Act, including but not limited to, the Planning Commission, the Assessment Appeals Board, the Civil Service Commission, and all other oversight and advisory boards, committees and commissions established by the Board of Supervisors and subject to the Brown Act, to make a similar finding and avail themselves of teleconferencing until the risk of community transmission has further declined

DISCUSSION:

Because local rates of transmission of COVID-19 are still in the “substantial” tier as measured by the Centers for Disease Control, we recommend that the LGBTQ Commission avail itself of the provisions of AB 361 allowing continuation of online meetings by adopting findings to the effect that conducting in-person meetings would present an imminent risk to the health and safety of attendees. A resolution to that effect, and directing staff to return each 30 days with the opportunity to renew such findings, is attached hereto.

FISCAL IMPACT:

None

RESOLUTION NO.

RESOLUTION FINDING THAT, AS A RESULT OF THE CONTINUING COVID-19 PANDEMIC STATE OF EMERGENCY DECLARED BY GOVERNOR NEWSOM, MEETING IN PERSON FOR MEETINGS OF THE LGBTQ COMMISSION WOULD PRESENT IMMINENT RISKS TO THE HEALTH OR SAFETY OF ATTENDEES

WHEREAS, on March 4, 2020, the Governor proclaimed pursuant to his authority under the California Emergency Services Act, California Government Code section 8625, that a state of emergency exists with regard to a novel coronavirus (a disease now known as COVID-19); and

WHEREAS, on June 4, 2021, the Governor clarified that the “reopening” of California on June 15, 2021 did not include any change to the proclaimed state of emergency or the powers exercised thereunder, and as of the date of this Resolution, neither the Governor nor the Legislature have exercised their respective powers pursuant to California Government Code section 8629 to lift the state of emergency either by proclamation or by concurrent resolution in the state Legislature; and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting law, Government Code section 54950 et seq. (the “Brown Act”), provided certain requirements were met and followed; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 that provides that a legislative body subject to the Brown Act may continue to meet without fully complying with the teleconferencing rules in the Brown Act provided the legislative body determines that meeting in person would present imminent risks to the health or

safety of attendees, and further requires that certain findings be made by the legislative body every thirty (30) days; and,

WHEREAS, California Department of Public Health (“CDPH”) and the federal Centers for Disease Control and Prevention (“CDC”) caution that the Delta variant of COVID-19, currently the dominant strain of COVID-19 in the country, is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations (<https://www.cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html>); and,

WHEREAS, the CDC has established a “Community Transmission” metric with 4 tiers designed to reflect a community’s COVID-19 case rate and percent positivity; and,

WHEREAS, the County of San Mateo currently has a Community Transmission metric of “substantial” which is the second most serious of the tiers; and,

WHEREAS, the LGBTQ Commission has an important governmental interest in protecting the health, safety and welfare of those who participate in its meetings; and,

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the LGBTQ Commission deems it necessary to find that meeting in person would present imminent risks to the health or safety of attendees, and thus intends to invoke the provisions of AB 361 related to teleconferencing;

WHEREAS, The Board of Supervisors strongly encourages all legislative bodies of the County of San Mateo that are subject to the Brown Act, including but not limited to, the Planning Commission, the Assessment Appeals Board, the Civil Service Commission, and all other oversight and advisory boards, committees and commissions established by the Board of Supervisors and subject to the Brown Act, to make a similar finding and avail themselves of teleconferencing until the risk of community transmission has further declined;

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that

1. The recitals set forth above are true and correct.
2. The LGBTQ Commission finds that meeting in person would present imminent risks to the health or safety of attendees.
3. Staff is directed to return no later than thirty (30) days after the adoption of this resolution with an item for the LGBTQ Commission to consider making the findings required by AB 361 in order to continue meeting under its provisions.
4. Staff is directed to take such other necessary or appropriate actions to implement the intent and purposes of this resolution.

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[San Mateo County Pride Center](#) (click for website)

September 2022 Updates

Pride Center Special News and Announcements!

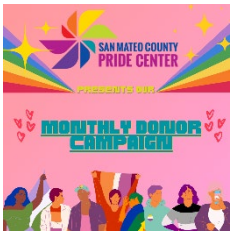
- **Introducing our new(!) Administrative Coordinator!**
 - She's back! The Pride Center welcomes back Lowellyn Sunga (she/her) as Administrative Coordinator! We are thrilled for her to rejoin our community center and our team. Lowellyn will begin with the Pride Center on Tuesday, September 6. Stay tuned for a public announcement soon!
- **SMC Pride Center's Guide to Using Destigmatizing Language in Health Communication Messaging**
 - The Pride Center created a document to aid in messaging about monkeypox that is factual and does not perpetuate stigma against men who have sex with men (MSM), which is currently the population with the most reported positive cases. We recognize that discussions about health - both physical and mental - are not limited to healthcare workers. This guide is intended for everyone, including healthcare professionals, social service workers, front desk associates, family members, and friends. We hope it helps increase awareness and understanding. The document will be posted on our website, posted on our socials, and distributed through our email lists soon. If you have questions or need further support, please contact Pride Center Program Director, Frankie Sapp (he/him) at francisco.sapp@sanmateopride.org.
- **Trans Talks Monkeypox Presentation Recording**
 - August Trans Talks (8/18)- Monkeypox: Overview, Diagnosis, Treatment, Prevention & Local Resources
 - Please use this link to [access recording: tinyurl.com/TransTalk-monkeypox](#) (50min – close captioning available)
- **Please Click [this link](#) to Read our Statement on Monkeypox.**
 - Limited number of vaccines now available in San Mateo County. The Pride Center Statement includes links to resources available within the county and surrounding areas. Feel free to contact Frankie Sapp or reach out to the resources provided for more information.
- **Pride Center is Closed Until Further Notice**
 - It is with saddened hearts we share on Friday, August 26, 2022, the Pride Center was flooded throughout some of our inner offices and into our main room. Until all repairs are made, the center is officially off limits until it's safe to return onsite. Please keep an eye out for a statement with a timeline for when the Pride Center will resume our limited in-person services again.
 - The carpet throughout the center will be replaced during the repairs. Additionally, we received notice that many of our windows will be replaced with ones that open to improve the ventilation

throughout the center. We will coordinate both efforts to occur simultaneously to prevent further disruption to our onsite programs and services.

- After the repairs, we will announce our new anticipated fuller re-opening timeline.
- Thank you for your patience, understanding, and compassion at the time. This news impacts us all. As a community we know what's most important is our commitment to keeping our people safe remains our highest priority. Although the physical space was damaged, the damage was minimal, and our team is unharmed and strong.

- **The Gift that Keeps on Giving!**

Are you able to become a regular financial supporter of the Pride community services? Your donation could provide gender affirming garments, help sponsor therapeutic services, cover legal name change fees, and otherwise help overcome financial barriers for LGBTQ+ community members in need. To start your tax-deductible monthly donation to the Pride Center, click [this link](#). For questions or more information, contact Frankie Sapp (he/him) at francisco.sapp@sanmateopride.org.



- **NEWLY Rebranded Online Pride Store!**

Don't forget visibility matters and you can support the Pride Center, too! We have **5 new designs available** in unisex and fitted tees, muscle tees, and hoodies! Choose from "Proud to be Me", "Ally to ADVOCATE", "CommUNITY", "Ask me about my PRONOUNS," and "50 shades of FABULOUS!". WE are here and Queer and staying PROUD to be! Help support the Pride Center and show *your* pride for San Mateo County!



- <https://sanmateopride.orderpromos.com/>

Pride Center Special Event!

- **Coyote Point Recreation Area: Guided History Walk- September 2022**
 - This September (date TBA!), join the San Mateo County Parks Foundation, San Mateo County Pride Center, and Peninsula Family Services at Coyote Point Recreation Area! Come learn about the history of the park through a guided tour and enjoy the fresh air with community members. Stay tuned for more information! For any questions about the event, contact Azisa.Todd@sanmateopride.org. For more information about the various parks San Mateo County has to offer, visit: <https://supportparks.org>.

About [Coyote Point Recreation Area](#): Located bayside, just a couple miles south of San Francisco International Airport in San Mateo, Coyote Point is a 149-acre park full of hiking trails, fishing spots, picnic facilities, playgrounds, a marina and much more. A bike ride along the Bay Trail through Coyote Point will take you past Magic Mountain playground which features a 42-foot high castle atop a hill and two purple dragons. Coyote Point offers paved roads for individuals with mobility aids. For more information about Coyote Point and its history, visit: <https://supportparks.org/parks-map/coyote-point-recreation-area/>.



San Mateo County PRIDE Initiative Report

- *Dana Johnson (they/ them/ theirs)- PRIDE Initiative co-chair*
- **LGBTQ Commission Meeting-** Tuesday, September 6, 2022 @6:30pm

- ❖ **About the PRIDE Initiative:** The PRIDE Initiative is committed to creating welcoming and inclusive environments grounded in equality and parity for LGBTQ+ community members living and working in San Mateo County. By adopting an interdisciplinary and inclusive approach to collaborating, the PRIDE Initiative looks to partner with individuals, organizations, and providers that work to ensure that services are sensitive and respectful of LGBTQ+ issues.

- ❖ Join us at the next Pride Initiative meeting (via virtual) on Wednesday, September 14, 2022, from 4:30-6pm.
 - PRIDE Initiative and local LGBTQI+ program updates
 - To join the Virtual Pride Initiative Meeting please see the Zoom Conference Information below:

Join Zoom Meeting

<https://us02web.zoom.us/j/81510844451>

Meeting ID: 815 1084 4451

Passcode: PRIDEBHRS **(PLEASE NOTE: Password is now required to join)**



CoastPride Report

LGBTQ Commission Meeting- Tuesday, September 6, 2022 @6:30pm

❖ About CoastPride

Our Vision

A welcoming and safe Coastsides where all LGBTQ and gender-expansive individuals, their families, and allies thrive.

Our Mission

Creating a Coastsides that supports and celebrates people of all sexual orientations and gender identities.

❖ New Business

Mayor Mary Bier appointed to CoastPride board of directors in August 2022

CoastPride had their Board 2022 Retreat at Square Peg Foundation on Sunday August 7, 2022 from 10am-3pm

CoastPride will be giving an Equity Award to Belinda Hernandez-Arriaga, Director, ALAS

- Award will be presented on Wednesday August 31, 2022, at ALAS Equity Express Mobile Bus from 5-7pm, hosted at Half Moon Bay Library

❖ CoastPride Events/ Trainings:

October LGBTQ History/LatinX Heritage month event- Proposed date in October 2022

Planning to conduct SOGIE trainings with (ALAS-PUENTE)

Participating at October Pumpkin Festival- Proposed date in October 2022

World AIDS Day event- Proposed date in December 2022

Next CoastPride Board Meeting: Monday September 19, 2022

To: LGBTQ Commission of San Mateo County
From: Tanya Beat, Director
Date: September 6, 2022
Subject: Status of recent events/projects

Commission Vacancies

- A few applications have been submitted.
- Ask that each commissioner to connect with one person about applying.

Sub-Committees Status

- For today's Commission meeting, we are providing time for sub-committees to meet, check-in and learn where they are with Work Plans and goals.

Transgender Day of Awareness

- First Planning Meeting was August 25.
- Two TDOR Activities:
 - IN-PERSON Reading of the Names, Candlelight Vigil and "Action Wall" at the Pride Center on **Friday, November 18 from 5:30-7:30pm.**
 - VIRTUAL Panel on Gender Affirming Services featuring individuals with lived experience and service advocates. Early November or Early December.
- Next Planning Meeting is Thursday, September 8 from 5-6pm. Commissioners are invited to participate: <https://smcgov.zoom.us/j/9725932550>

Election Information

- Election Day: November 8, 2022
- Information about Elections can be found: <https://www.smcacre.org/elections>
- There is a need for Election workers so please consider helping! <https://www.smcacre.org/elections/news/election-worker-recruitment-begins-upcoming-general-election-0>
- Thrive Alliance helps support the Voter Education & Outreach Advisory Committee. Please share the brochure in the meeting materials. Join their meetings to learn how to support voting in San Mateo County: <https://www.thrivealliance.org/civic-participation-veoac>

WHY vote?

YOUR VOTE COUNTS

Voting is a way to have your voice heard.

All votes matter. In 1983 East Palo Alto was incorporated as a city by just 15 votes! In 2020, San Mateo Measure Y, which regulates building heights and density, was passed by 43 votes. Some city council races have been decided by just 20 votes! Your vote can sway an election.



HOW will I vote: mail or in person?



MAIL YOUR POSTAGE-PAID BALLOT BACK

Mail your ballot back early as it must be postmarked by Election Day, Tuesday, November 8.



DROP OFF YOUR BALLOT

You can drop off your completed ballot at any secure DropBox or Vote Center.



VOTE IN PERSON

You can vote in person at any Vote Center. In addition, you can do the following:

- Drop off your completed ballot
- Vote with an accessible voting machine
- Register to vote
- Get language and disability assistance



REMOTE ACCESSIBLE VOTE BY MAIL (RAVBM)

- For voters with disabilities

Do you have a voting plan?



WHEN will I vote?

HOW will I vote?

WHERE will I go to vote or drop off my ballot?



Locations, dates & times for Vote Centers
smcvote.org



WHEN can I vote?

Important Dates

Tuesday, Oct. 11

Three Vote Centers open from 9 - 5 pm

Saturday, Oct. 29,

Nine Vote Centers open from 9 - 5 pm

Saturday, Nov. 5 – Tuesday, Nov. 8

All 45 Vote Centers open from 9 - 5 pm

Tuesday, Nov. 8

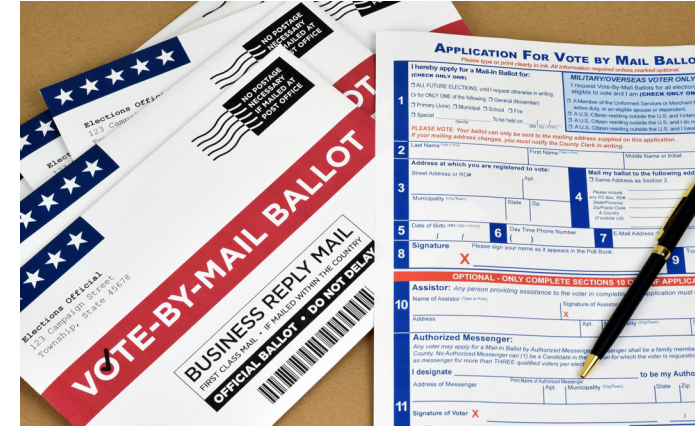
Last day to vote. All Vote Centers will be open from 7 am - 8 pm. Vote-by-mail ballot must be postmarked on or before Tues, November 8.

WHO is eligible to vote?



- A United States citizen
- 18 years old or older on Election Day
- Not currently serving a state or federal prison term for the conviction of a felony
- Not currently found mentally incompetent to vote by a court

HOW do I learn more?



You will receive a sample ballot in English with voter information before Monday, October 10. After that date, you will receive your ballot with all local races and measures.

Track your ballot & find additional language resources

smcvote.org



Register to vote or check registration status

registertovote.ca.gov



Non-partisan information about candidates and ballot measures

votersedge.org/ca

