



Foothill College Academic Senate  
Resolution Authorizing Remote Teleconference Meetings Pursuant  
to Brown Act Provisions Included In Assembly Bill (AB) 361 (Rivas)  
October 2021

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**WHEREAS**, the Foothill College Academic Senate is committed to preserving and nurturing public access and participation in its meetings; and

**WHEREAS**, all meetings of Foothill-bodies, which include the Foothill Academic Senate and its autonomous subcommittee, the College Curriculum Committee, are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 54963), so that any member of the public may

and

**WHEREAS**, the Brown Act, Government Code section 54953(e), makes provisions for remote 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

**WHEREAS**, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

**WHEREAS**, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are  
-caused

disasters; and

**WHEREAS**, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

**WHEREAS**, on March 4, 2020, Governor Gavin Newsom declared a statewide emergency arising from the coronavirus (COVID-19); and



(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

**NOW, THEREFORE, BE IT RESOLVED**, that the Foothill College Academic Senate finds that the March 4, 2020, declaration of a State of Emergency due to the COVID-19 pandemic by Governor Gavin Newsom remains active and that the state of emergency continues to directly impact the ability of members of the public to meet safely in person.

**BE IT FURTHER RESOLVED**, that the Foothill College Academic Senate authorizes the continuation of virtual meetings pursuant to Assembly Bill 361 (Rivas); and

**BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately upon its adoption and shall be effective until the earlier of 90 days from the date of adoption or such time the Foothill College Curriculum Committee adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Foothill College Curriculum Committee may continue to teleconference without compliance with paragraph (3) of subdivision (b) of Government Code section 54953.