



**MEMORANDUM**

**DATE:** January 26, 2022

**TO:** Governing Board  
San Francisco Bay Restoration Authority

**FROM:** Amy Hutzel, Executive Officer  
San Francisco Bay Restoration Authority

**SUBJECT: Resolution Authorizing Continued Remote Meetings during the COVID-19 State of Emergency**

Staff recommends that the San Francisco Bay Restoration Authority adopt Resolution 88 authorizing the Governing Board, Oversight Committee, and Advisory Committee to meet remotely for an additional thirty days.

The Brown Act was recently amended to permit a local agency to continue to meet remotely during the COVID-19 State of Emergency if the agency makes a finding every thirty days that “the state of emergency continues to directly impact the ability of the members to meet safely in person.” Gov’t Code § 54953(e)(3). The Authority adopted resolutions on November 15, 2021 and December 10, 2021, making the required finding and authorizing the Governing Board, Oversight Committee, and Advisory Committee to meet remotely for thirty days. A further resolution is required to extend this authorization for another thirty days.

Remote meetings are warranted because in-person meetings during the ongoing COVID-19 State of Emergency would present a significant safety risk to the members of the Board and Committees and to members of the public who may attend in-person meetings. Specifically:

- The highly-contagious Omicron variant has recently caused a new surge of infections in the San Francisco Bay Area, Erin Allday, Here are the latest numbers as omicron cases skyrocket in California, *San Francisco Chronicle* (Dec. 28, 2021);
- Preliminary data indicate that the omicron variant is “highly transmissible,” even among vaccinated adults, Will Stone, Omicron is spreading at lightning speed. Scientists are trying to figure out why, *NPR* (Dec. 31, 2021);
- The California Department of Public Health recently extended its indoor masking requirement through February 15, 2022; and
- On January 5, 2022, Governor Newsom extended state agencies’ authority to meet remotely through March 31, 2022, citing the recent surge of infections caused by the Omicron variant, Executive Order No. N-1-22.

**Recommendation**

Staff recommends that the Authority adopt Resolution 88 authorizing the Governing Board, Oversight Committee, and Advisory Committee to meet remotely for an additional thirty days.