



**MEMORANDUM**

**DATE:** April 22, 2022

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

**FROM:** Amy Hutzal, 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 94 authorizing the Oversight Committee and Advisory Committee to continue to meet remotely as permitted by the Ralph M. Brown Act (Brown Act) for the next 30 days. Adoption of the resolution is recommended by staff so that the Advisory Committee and Oversight Committee can hold remote meetings on May 20 and May 23, respectively.

The Board has a special meeting scheduled for May 26 to consider authorization of remote meetings for another 30 days, which would allow the June 24 Board meeting to be held remotely. If the Board (and Committees) will transition to in-person/hybrid meetings starting in June, then we do not need to hold a meeting on May 26. Board input on the need for a May 26 meeting would be appreciated. After May of 2022, the Advisory Committee next meets on September 16 and the Oversight Committee next meets in 2023.

The Brown Act permits a local agency to meet remotely during the COVID-19 State of Emergency if the agency makes a finding 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, December 10, 2021, January 26, 2022, February 25, 2022, and March 28, 2022, making the required finding and authorizing the Governing Board, Oversight Committee, and Advisory Committee to continue to meet remotely.

Remote meetings for the Oversight Committee and Advisory Committee for the next 30 days 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 Oversight and Advisory Committees and to members of the public who may otherwise attend in-person meetings. Specifically:

- Certain members of the Oversight and Advisory Committees belong to demographic groups that are at a high risk of severe COVID-19 illness;
- Although infection rates have dropped significantly since the height of the recent omicron wave, public health authorities continue to report hundreds of new cases in the Bay Area

every day; and

- The recently-identified BA.2 variant may cause case counts in the Bay Area to rise over the coming weeks, Erin Allday, Covid cases in California are levelling off, but here's how the BA.2 variant might change that, *San Francisco Chronicle* (Mar. 29, 2022).

### **Recommendation**

Staff recommends that the Authority adopt Resolution 94 authorizing the Oversight Committee and Advisory Committee to continue to meet remotely as authorized by the Brown Act.