

Alamo Municipal Advisory Council

David Barclay, Chair
Sharon Burke, Vice Chair
Anne Struthers
Heather Chaput
Justin Gagnon
Robert Brannan
Robert Mowat
Joaquin Lopez, Alternate
Genevieve Herron, Youth Member



Candace Andersen, Supervisor

Contra Costa County, District 2
309 Diablo Road
Danville, CA 94526
925-957-8860

cameron.collins@bos.cccounty.us

*The Alamo Municipal Advisory Council serves as an advisory body to the
Contra Costa County Board of Supervisors and the County Planning Agency.*

MEETING AGENDA

Tuesday, October 5, 2021

6:00 p.m. Online Meeting via Zoom

Meeting ID: 945 7274 9834

Or Telephone Dial:

USA 214 765 0478 or USA 888 278 0254 (US Toll Free)

Conference code: 689647

Time is allotted under Public Comment for persons who wish to speak for up to three minutes on any item NOT on the agenda. Persons who wish to speak on matters on the agenda will be heard for up to three minutes when the Chair calls for comments. After persons have spoken on an agenda item, the public comment period will be closed by the Chair and the matter is subject to discussion and/or action by the MAC. Persons wishing to speak may contact the Supervisors office to submit comments.

1. CALL TO ORDER - PLEDGE OF ALLEGIANCE - ROLL CALL

2. STAFF/AGENCY REPORTS

- a. District II Staff Update –
 - a. Introduction of Joaquin Lopez, new Alamo MAC Alternate
 - b. The October Alamo Liaison Meeting will be held on October 18th, 2021.
 - c. CSA R7 Latent Powers Update
 - d. Andrew H Young Park Tree Lighting Expenses
 - e. Stone Valley Road – Safe Routes to Stone Valley Middle School
- b. San Ramon Valley Fire Protection District update
- c. Contra Costa County Sheriff - Valley Station Update

3. PUBLIC COMMENT (3 minutes/speaker)

Pursuant to the Brown Act, this time is provided for members of the public and community groups to address the committee on matters within the committee's jurisdiction and not on the agenda. An opportunity will be provided as part of each agenda item for public comment on the item. Time allowed for each individual is three minutes. The Chair will recognize only those speakers who have filled out and turned in a speaker card.

4. PRESENTATIONS

- a. Adelina Huerta, Public Works Division Manager Design Construction Division –
Alamo Roundabout Design Update
- b. Robert Mowat, Hap Magee Tac Shed

5. NEW BUSINESS

- a. VR21-1026 – The applicant requests approval of a Variance application to allow extension of the existing driving range netting barrier (a use and structure previously approved under Land Use Permit #CDLP07-02078) the new poles and netting to be located within the frontage setbacks. Address is 3169 Roundhill Road, Alamo.

- i. Action requested: accept report, take public comment, discuss.
 - ii. Make recommendation to Supervisor Andersen, if applicable.
- b. Consider adopting resolution AB361 to authorize emergency teleconference meetings for 30 days and make related findings per Government Code section 54953.
 - i. Action requested: accept report, take public comment, discuss.
 - ii. Make recommendation to Supervisor Andersen, if applicable.
- c. Alamo Recreational Survey – Review and Approve Language
 - i. Action requested: accept report, take public comment, discuss.
 - ii. Make recommendation to Supervisor Andersen, if applicable.

6. OLD BUSINESS

7. CONSENT CALENDAR

All matters listed under CONSENT CALENDAR are considered by the Alamo MAC to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Alamo MAC or a member of the public prior to the time the Alamo MAC votes on the motion to adopt.

- a. Approve September 7th, 2021 Record of Actions.
 - i. Action requested: accept report, take public comment, discuss.
 - ii. Make recommendation to Supervisor Andersen, if applicable.

8. SUBCOMMITTEE REPORTS

Alamo AOB Subcommittee for Schools: Chaput, Herron
 Alamo AOB Subcommittee for Downtown: Gagnon, Mowat
 Alamo Police Services Advisory Committee: Brannan
 Land Use Planning Subcommittee: Barclay (chair), Gagnon, Mowat
 Iron Horse Corridor Subcommittee: Struthers (Chair), Gagnon
 Parks and Recreation Subcommittee: Struthers (chair), Burke, Chaput
 Trees and Landscape Subcommittee: Mowat

9. CORRESPONDENCE (the following items are listed for informational purposes only and may be considered for discussion at a future meeting).

- a. None

10. COMMENTS BY MEMBERS OF THE ALAMO MAC

11. FUTURE AGENDA ITEMS

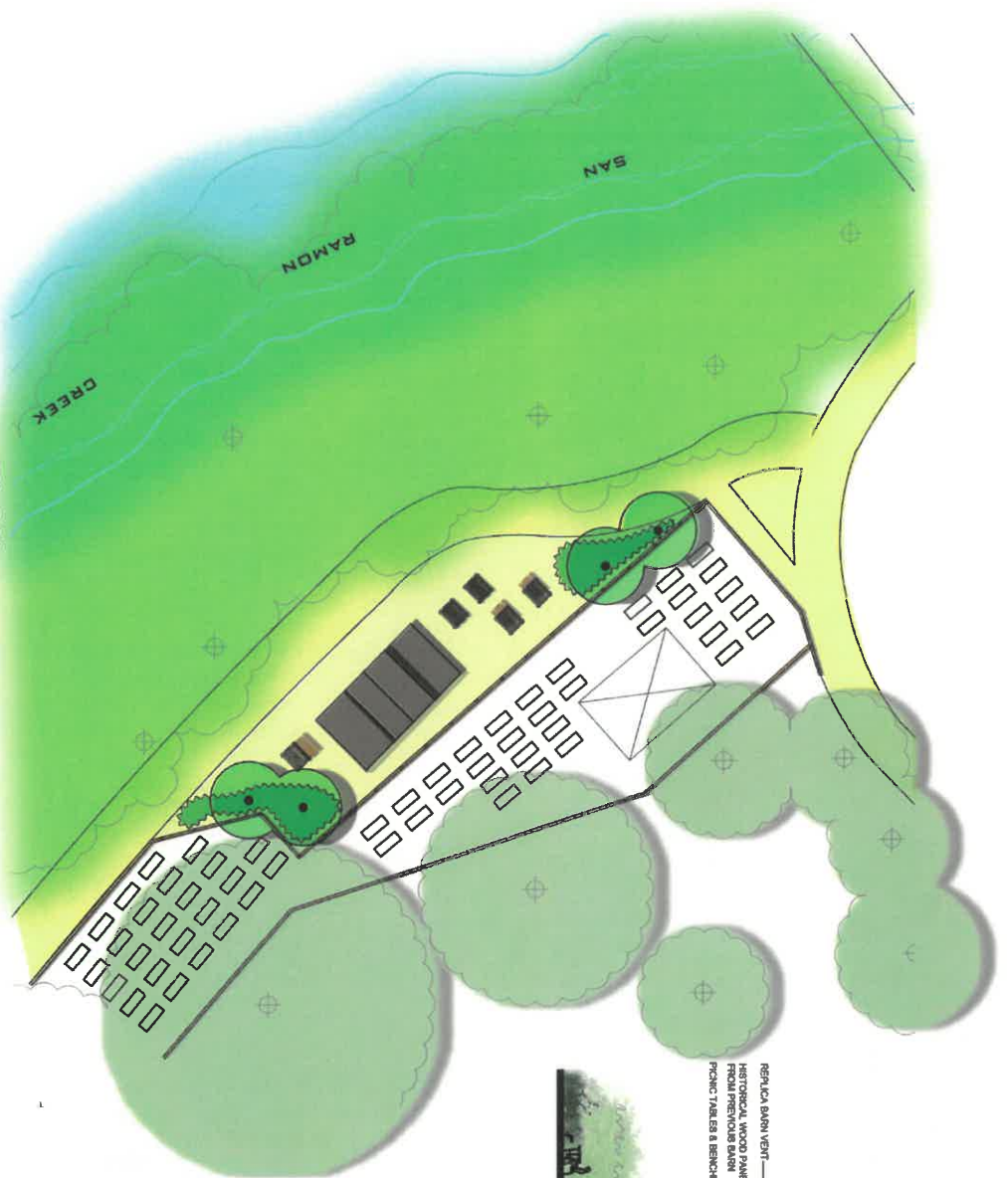
- a. None.

12. ADJOURNMENT

- a. Adjourn to the Alamo MAC meeting on **November 2nd, 2021** at 6:00 P.M. at the Stone Valley Middle School 3001 Miranda Ave, Alamo, CA 94507. If Health Officer orders still restrict gatherings at that time, the October meeting will be held with remote participation using Zoom or a similar platform.

The Alamo Municipal Advisory Council will provide reasonable accommodations for persons with disabilities planning to attend the meeting who contact Supervisor Candace Andersen's office at least 72 hours before the meeting at 925-957-8860.

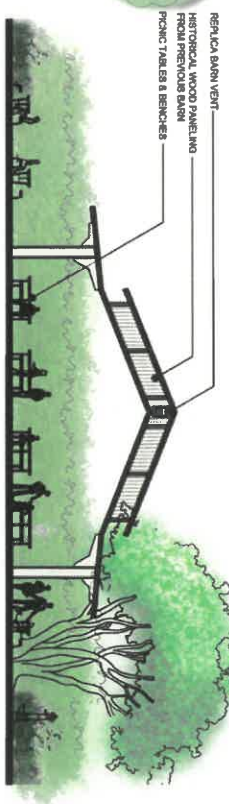
Materials distributed for the meeting are available for viewing at the District 2 Office at 309 Diablo Road, Danville, CA 94526. To receive a copy of the Alamo MAC agenda via mail or email, please submit your request in writing using a speaker card or by contacting Supervisor Andersen's office at 925-957-8860. Complete name and address must be submitted to be added to the list.



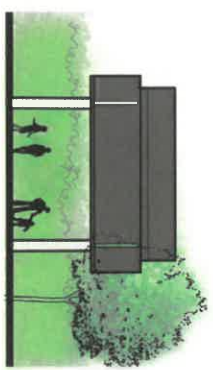
PLAN
SCALE: 1/16"=1'-0"

REPLICA PARK STRUCTURE

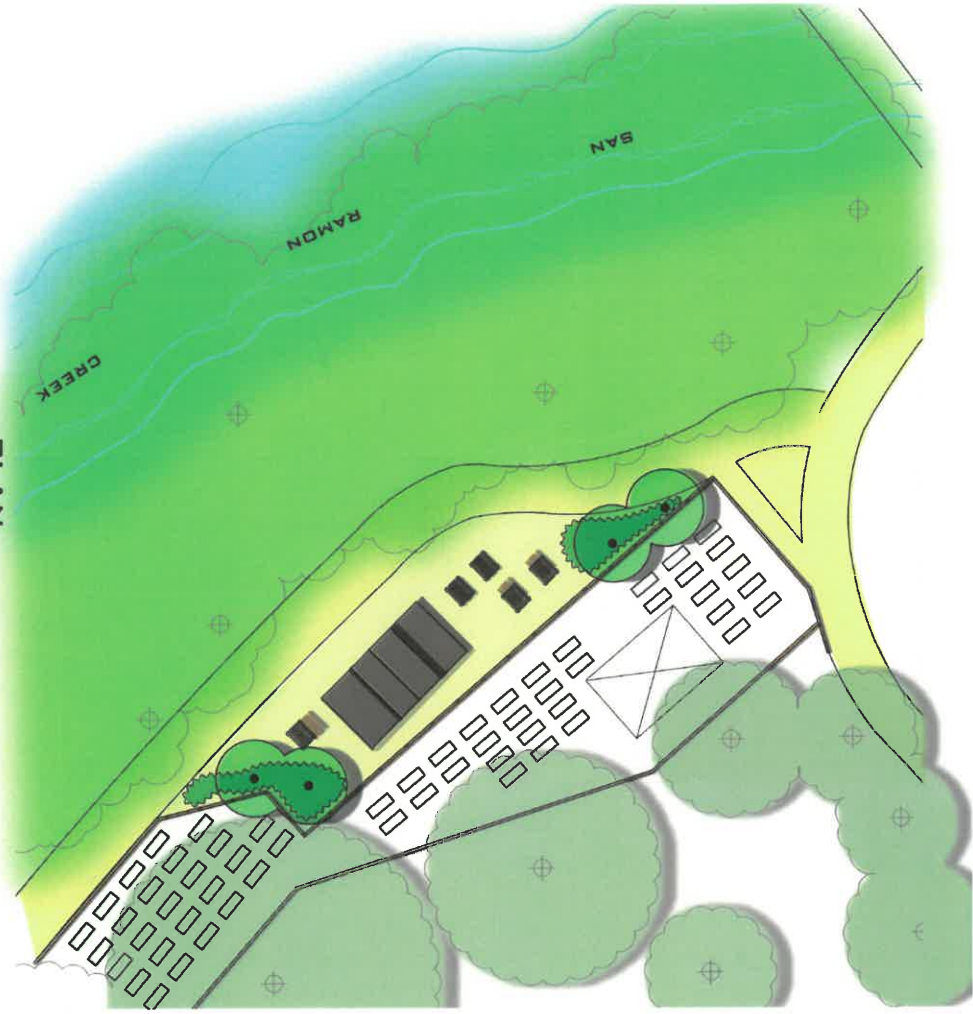
SCALE: AS SHOWN



REPLICA BARN VIEW
HISTORICAL WOOD PANELING
FROM PREVIOUS BARN
PICNIC TABLES & BENCHES



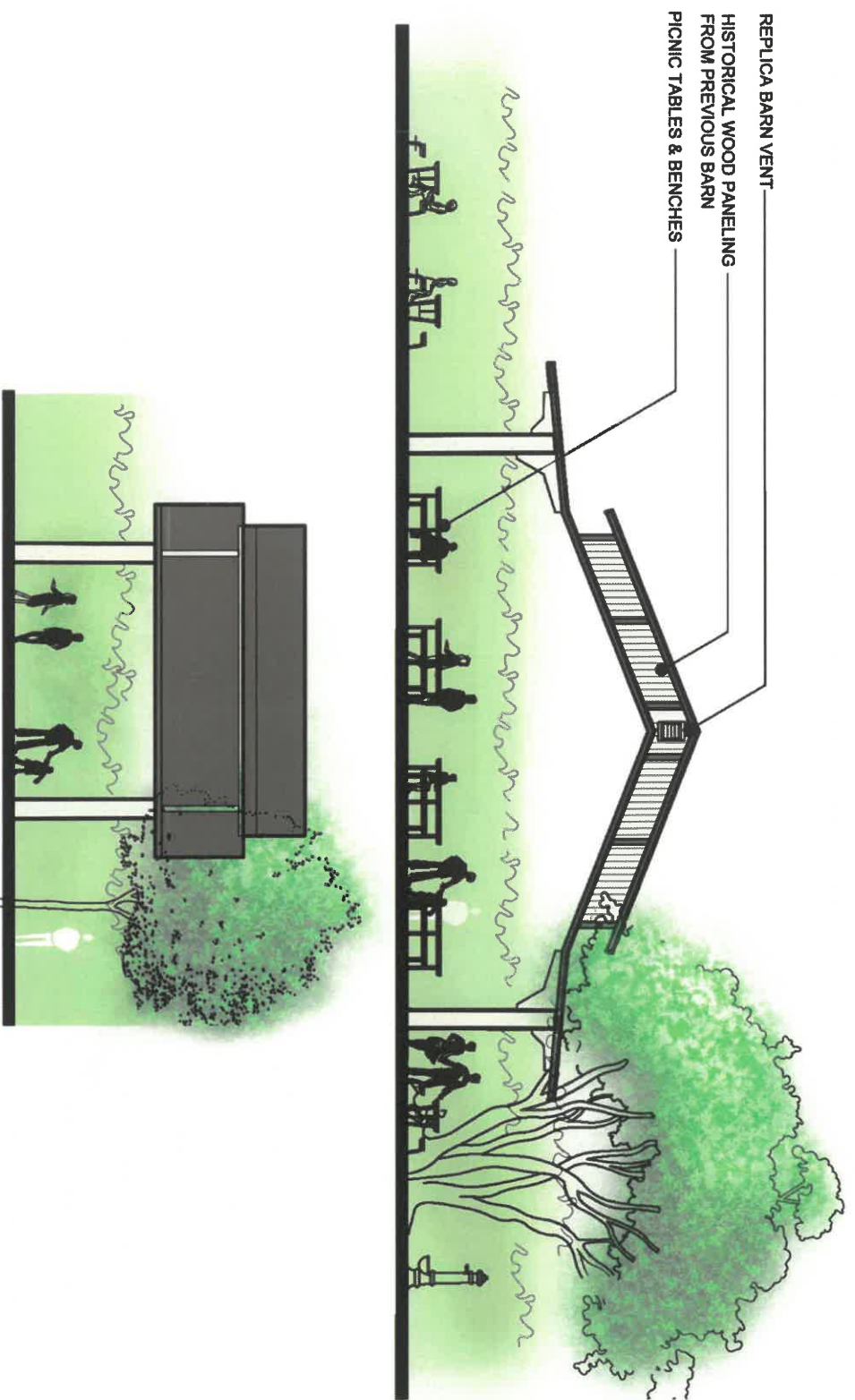
ELEVATIONS
SCALE: 1/8"=1'-0"



PLAN
SCALE: 1/16"=1'-0"

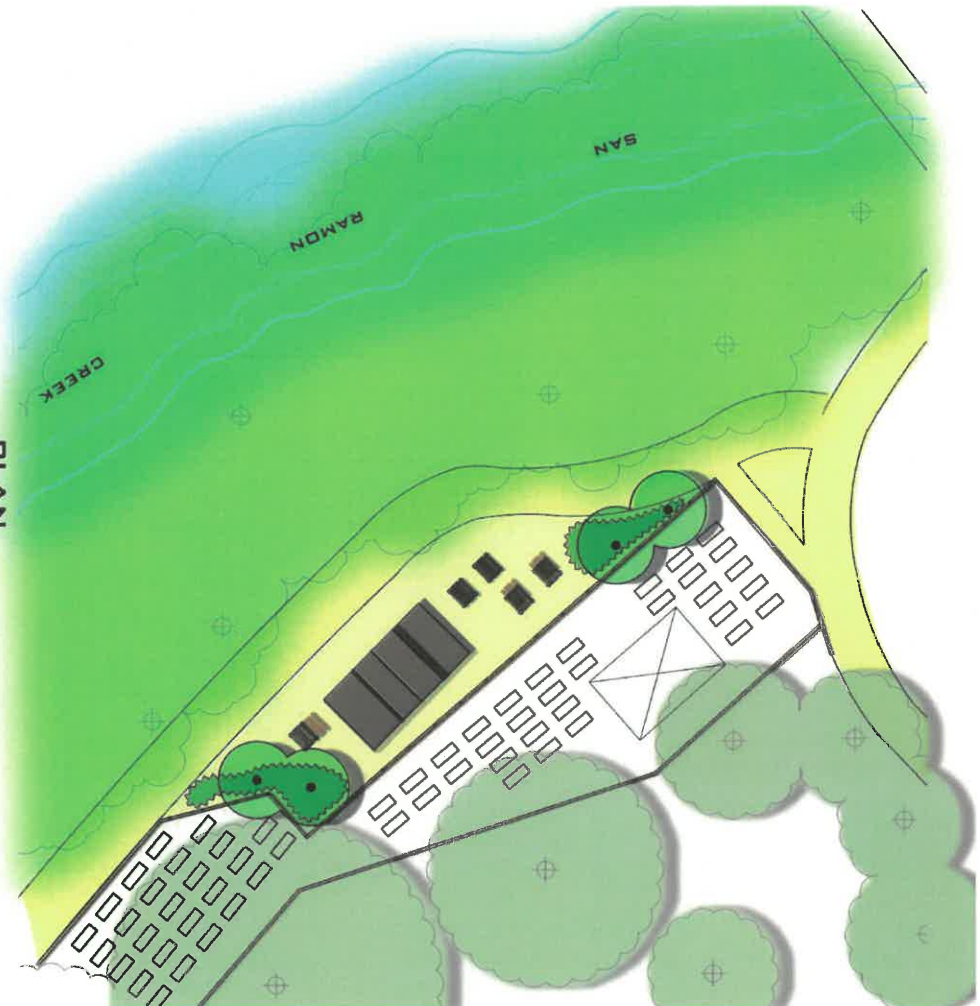
REPLICA PARK STRUCTURE

SCALE: AS SHOWN



REPLICA PARK STRUCTURE

SCALE: 1/4"=1'-0"



PLAN
SCALE: 1/16"=1'-0"

REPLICA PARK STRUCTURE

SCALE: AS SHOWN

CONTRA COSTA COUNTY
DEPARTMENT OF CONSERVATION AND DEVELOPMENT
 COMMUNITY DEVELOPMENT DIVISION
 30 Muir Road
 Martinez, CA 94553-4601
 Phone: 925-655-2700
 Fax: 925-655-2758



AGENCY COMMENT REQUEST

Date 9-13-2021

We request your comments regarding the attached application currently under review.

<p style="text-align: center;"><u>DISTRIBUTION</u></p> <p><u>INTERNAL</u></p> <table style="width: 100%;"> <tr> <td><input checked="" type="checkbox"/> Building Inspection</td> <td>Grading Inspection</td> </tr> <tr> <td>Advance Planning</td> <td>Housing Programs</td> </tr> <tr> <td>Trans. Planning</td> <td>Telecom Planner</td> </tr> <tr> <td>ALUC Staff</td> <td>HCP/NCCP Staff</td> </tr> <tr> <td>APC PW Staff</td> <td>County Geologist</td> </tr> </table> <p><u>HEALTH SERVICES DEPARTMENT</u></p> <table style="width: 100%;"> <tr> <td><input checked="" type="checkbox"/> Environmental Health</td> <td>Hazardous Materials</td> </tr> </table> <p><u>PUBLIC WORKS DEPARTMENT</u></p> <p>Engineering Services (1 Full-size + 3 email Contacts)</p> <p>Traffic</p> <p>Flood Control (Full-size) Special Districts</p> <p><u>LOCAL</u></p> <p><input checked="" type="checkbox"/> Fire District <u>San Ramon Valley</u></p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> San Ramon Valley – (email) rwendel@srvfire.ca.gov</p> <p style="margin-left: 40px;">Consolidated – (email) fire@cccfd.org</p> <p style="margin-left: 40px;">East CCC – (email) brodriguez@cccfd.org</p> <p><input checked="" type="checkbox"/> Sanitary District <u>Central Sanitary</u></p> <p><input checked="" type="checkbox"/> Water District <u>EBMUD</u></p> <p>City of _____</p> <p>School District(s) _____</p> <p>LAFCO</p> <p>Reclamation District # _____</p> <p>East Bay Regional Park District</p> <p>Diablo/Discovery Bay/Crockett CSD</p> <p><input checked="" type="checkbox"/> MAC/TAC <u>Alamo</u></p> <p><input checked="" type="checkbox"/> Improvement/Community Association</p> <p><input checked="" type="checkbox"/> CC Mosquito & Vector Control Dist (email)</p> <p><u>OTHERS/NON-LOCAL</u></p> <p>CHRIS (email only: nwic@sonoma.edu)</p> <p>CA Fish and Wildlife, Region 3 – Bay Delta</p> <p>Native American Tribes</p> <p><u>ADDITIONAL RECIPIENTS</u></p> <p><u>Roundhill HOA</u></p> <p><u>Alamo Improvement Association (AIA)</u></p>	<input checked="" type="checkbox"/> Building Inspection	Grading Inspection	Advance Planning	Housing Programs	Trans. Planning	Telecom Planner	ALUC Staff	HCP/NCCP Staff	APC PW Staff	County Geologist	<input checked="" type="checkbox"/> Environmental Health	Hazardous Materials	<p><i>Please submit your comments to:</i></p> <p>Project Planner <u>Everett Louie</u></p> <p>Phone # <u>925-655-2873</u></p> <p>E-mail <u>everett.louie@dcd.cccounty.us</u></p> <p>County File # <u>CDVR21-01026</u></p> <p>Prior to <u>October 8, 2021</u></p> <p style="text-align: center;">*****</p> <p>We have found the following special programs apply to this application:</p> <p style="margin-left: 40px;">Active Fault Zone (Alquist-Priolo)</p> <p style="margin-left: 40px;">Flood Hazard Area, Panel # _____</p> <p style="margin-left: 40px;">60-dBA Noise Control</p> <p style="margin-left: 40px;">CA EPA Hazardous Waste Site</p> <p style="text-align: center;">*****</p> <p>AGENCIES: Please indicate the applicable code section for any recommendation required by law or ordinance. Please send copies of your response to the Applicant and Owner.</p> <p>Comments: None Below Attached</p> <p>Print Name _____</p> <p>Signature _____ DATE _____</p> <p>Agency phone # _____</p>
<input checked="" type="checkbox"/> Building Inspection	Grading Inspection												
Advance Planning	Housing Programs												
Trans. Planning	Telecom Planner												
ALUC Staff	HCP/NCCP Staff												
APC PW Staff	County Geologist												
<input checked="" type="checkbox"/> Environmental Health	Hazardous Materials												



Planning Application

Department of Conservation and Development Community Development Division

30 Muir Road
Martinez, CA 94553
(925) 674-7200
www.cccounty.us

PROJECT DATA

Total Parcel Size: _____
Proposed Number of Units: _____
Proposed Square Footage: _____
Estimated Project Value: _____

TYPE OF APPLICATION (Mark all that apply):

- | | | |
|---|---|---|
| <input type="checkbox"/> ACCESSORY DWELLING UNIT (ADU)/JUNIOR ADU | <input type="checkbox"/> GENERAL PLAN AMENDMENT/FEASIBILITY STUDY | <input type="checkbox"/> REZONING |
| <input type="checkbox"/> ADMINISTRATIVE REVIEW
(former Redevelopment Area) | <input checked="" type="checkbox"/> LAND USE PERMIT | <input type="checkbox"/> TREE PERMIT |
| <input type="checkbox"/> CERTIFICATE OF COMPLIANCE | <input type="checkbox"/> LOT LINE ADJUSTMENT | <input type="checkbox"/> VARIANCE |
| <input type="checkbox"/> COMPLIANCE REVIEW | <input type="checkbox"/> MAJOR <input type="checkbox"/> MINOR SUBDIVISION | <input type="checkbox"/> WIRELESS _____ |
| <input type="checkbox"/> DEVELOPMENT PLAN | <input type="checkbox"/> PLANNING CONSIDERATION | OTHER _____ |

PROPERTY OWNER OR AGENT AUTHORIZATION

NAME: GREG GONSALVES/ ROUND HILL COUNTRY CLUB
ADDRESS: 3169 ROUNDHILL ROAD
CITY, STATE: ALAMO ZIP: 94507
PHONE #: 925-934-8211 X303
EMAIL: G.GONSALVES@ROUNDHILLCC.ORG

APPLICANT (MAIN CONTACT INFORMATION)

NAME: MARA PERRY/ JUDGE NETTING INC.
ADDRESS: 11851 WESTMINSTER AVE
CITY, STATE: GARDEN GROVE, CA ZIP: 92843
PHONE #: 714-265-2200 OR CELL 806-559-7980
EMAIL: MARA@JUDGENETTING.COM

☒ I am the property owner and hereby authorize the filing of this application.

☒ Check here if billings are to be sent to applicant rather than owner.

SIGNATURE: *Greg Gonsalves*

SIGNATURE: MARA PERRY

Digitally signed by MARA PERRY
Date: 2021.08.19 15:25:12 -0700

Project Description and Location:

TO EXTEND THE EXISTING NETTING BARRIER, AT THE REAR OF THE DRIVING RANGE AT ROUND HILL COUNTRY CLUB, USING THREE ADDITIONAL 65' AGL STEEL POLES AND NETTING FOR APPROXIMATELY 135 LINEAR FEET

*****FOR OFFICE USE ONLY*****

Project Description:

Request approval of a Variance application to allow extension of the existing driving range netting barrier (a use and structure previously approved under Land Use Permit #CDLP07-02078) the new poles and netting to be located within the frontage setbacks.

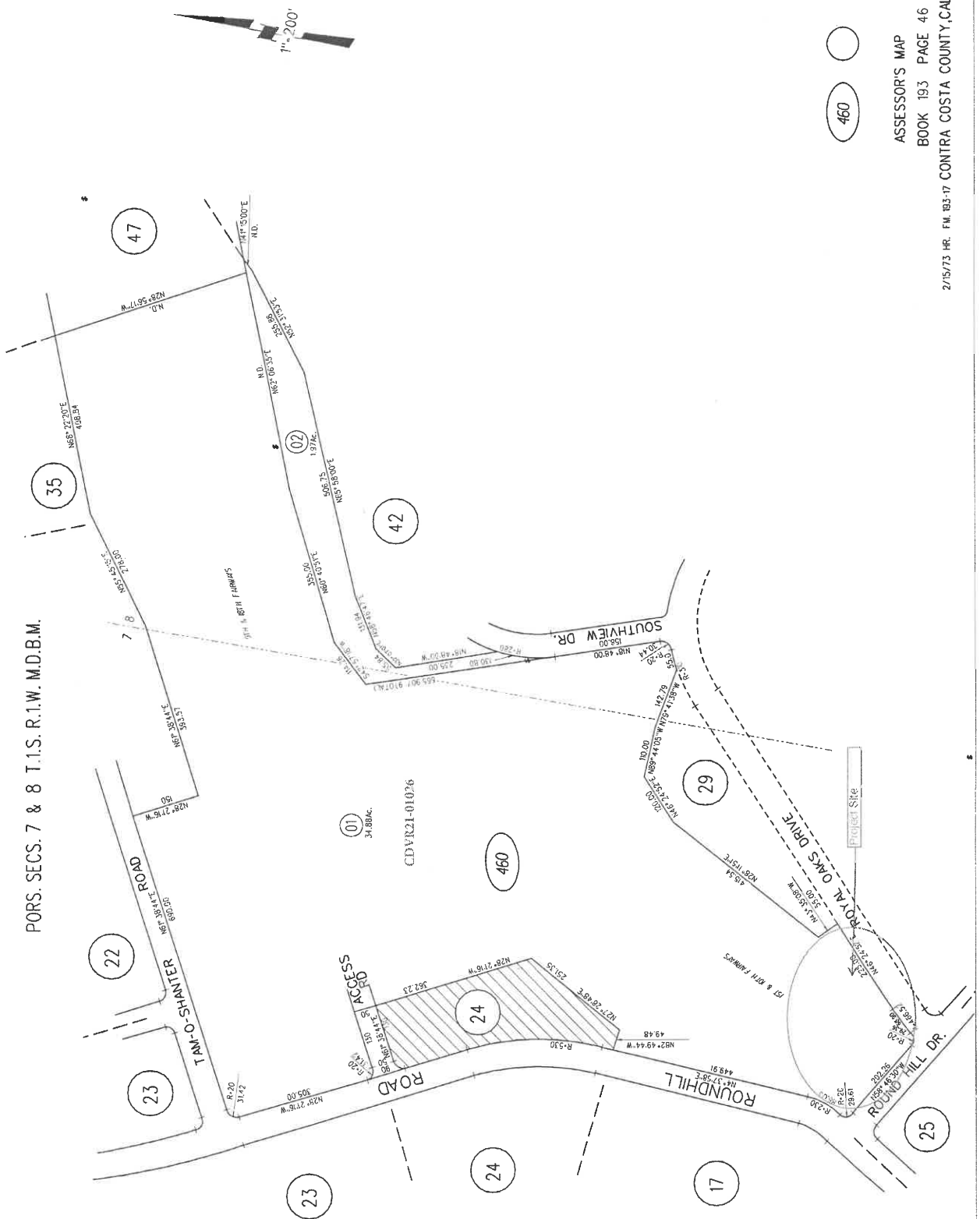
Property Description:

☐ Housing Inventory Site

	TYPE OF FEE	FEE	CODE	ASSESSOR'S #: 193-460-001
Area: Alamo	*CDD Base Fee/Deposit	\$ 3,250	S- VRS0044	Site Address: Roundhill Road
Fire District: San Ramon Valley	*Additional CDD Base Fee/Deposit	\$	S-	Zoning District: R-15
Sphere of Influence: N/A	*PW Base Fee/Deposit	\$	S-	General Plan: PR
Flood Zone: X	Late Filing Penalty (+50% of above if applicable)	\$	S-066	Census Tract: 3461.02
x-ref Files: CDLP07-02078	Notification Fee	\$30.00	S-052	Substandard Lot: <input type="checkbox"/> Yes <input type="checkbox"/> No
	Fish & Game Posting (if not CEQA exempt)	\$75.00	S-048	Supervisory District: 3
	Environmental Health Dept.	\$57.00	5884	Received By: Dominique Vogelpohl
Concurrent Files:	TOTAL	\$ 3,250		Date Filed: 9/3/2021
	*Additional fees based on time and materials will be charged if staff costs exceed base fee.			File #: CDVR21-01026

APPLICATION SUBMITTAL ON REVERSE

PORS. SECS. 7 & 8 T.1S. R.1W. M.D.B.M.



460

General Plan: Parks and Recreation (PR)



Legend



City Limits

- SV (Single Family Residential - Ver
- SL (Single Family Residential - Low
- SM (Single Family Residential - Me
- SH (Single Family Residential - Hg
- ML (Multiple Family Residential - L
- MV (Multiple Family Residential - A
- MS (Multiple Family Residential - H
- MW (Multiple Family Residential - V
- MS (Multiple Family Residential - V
- CC (Congregate Care/Senior Hous
- MO (Mobile Home)
- M1 (Pleasant Avenue Mixed Use)
- M2 (Downtown/Waterfront Rodos I
- M3 (Pleasant Hill BART Mixed Use
- M4 (Willow Pass Road Mixed Use)
- M5 (Willow Pass Road Commerce
- M6 (Bay Point Residential Mixed L
- M7 (Pittsburg Bay Point BART Str
- M8 (Doughterty Valley Village Cent
- M9 (Monteville Manor Mixed Use)
- M10 (Willow Pass Business Park k
- M11 (Aspen Way Mixed Use)
- M12 (Triangle Area Mixed Use)
- M13 (San Pablo Dam Road Mixed
- M14 (Heritage Mixed Use)
- CO (Commercial)
- OF (Office)
- BP (Business Park)
- LI (Light Industry)
- HI (Heavy Industry)
- AL OBA (Agricultural Lands & Off
- CR (Commercial Recreation)
- ACO (Airport Commercial)
- LF (Landfill)
- PS (Public/Semi-Public)
- PR (Parks and Recreation)
- OS (Open Space)

1:9,028



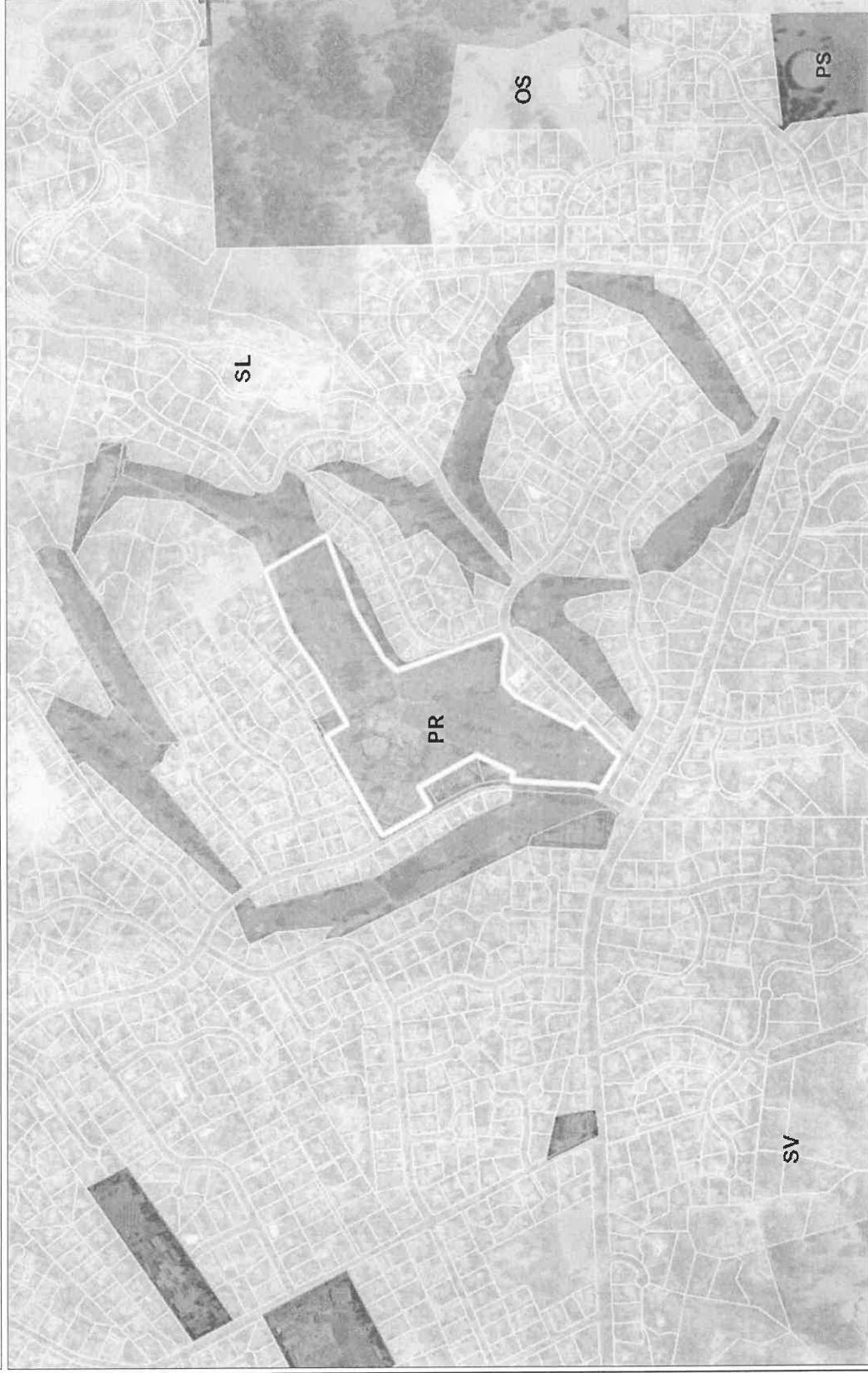
0.3 0 0.14 0.3 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes
CDVR21-01026



	0.3	0	0.14	0.3 Miles
0.3				
0				
0.14				
0.3 Miles				

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current, or otherwise reliable.

Notes
CDVR21-01026

Notes
CDVR21-01026

Aerial Photo - Project Site



- Legend**
-  City Limits
 -  Streets
 -  Building Outlines
 -  Assessment Parcels
 -  World Imagery
 -  Low Resolution 15m Imagery
 -  High Resolution 60cm Imagery
 -  High Resolution 30cm Imagery
 -  Citations

1:1,128

Notes
CDVR21-01026

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current, or otherwise reliable.



	0.0	0	0.02	0.0 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

Central San Project/Plan Approval

This plan has been reviewed by Central San. Public works staff is working to the plan and will be reviewing the plan for public works approval. The plan is being reviewed for public works approval and the plan is being reviewed for public works approval. The plan is being reviewed for public works approval and the plan is being reviewed for public works approval.

1. PUBLIC WORKS REVIEW COMMENTS

Public works review comments are as follows:

1. The proposed plan shows a proposed road layout that is not in accordance with the existing road layout. The proposed road layout is not in accordance with the existing road layout. The proposed road layout is not in accordance with the existing road layout.

2. The proposed plan shows a proposed road layout that is not in accordance with the existing road layout. The proposed road layout is not in accordance with the existing road layout. The proposed road layout is not in accordance with the existing road layout.

3. The proposed plan shows a proposed road layout that is not in accordance with the existing road layout. The proposed road layout is not in accordance with the existing road layout. The proposed road layout is not in accordance with the existing road layout.

4. The proposed plan shows a proposed road layout that is not in accordance with the existing road layout. The proposed road layout is not in accordance with the existing road layout. The proposed road layout is not in accordance with the existing road layout.

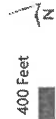
5. The proposed plan shows a proposed road layout that is not in accordance with the existing road layout. The proposed road layout is not in accordance with the existing road layout. The proposed road layout is not in accordance with the existing road layout.

RECEIVED
By Dominique Vogelwohl at 9/3/2021



Central San Map

This map was prepared by Central San. The map shows the proposed road layout and the existing road layout. The map is being reviewed for public works approval and the map is being reviewed for public works approval.



400 Feet

200

0



CENTRAL SAN
CENTRAL SAN COSTA MOUNTAIN DISTRICT

Map Created On: 7/7/2021 Map Projection: WGS84

COCSO

FWWD

Map of Central San
NETTING, POLES
Date: 7/7/21



A RESOLUTION OF THE [NAME OF BOARD OR COMMISSION] AUTHORIZING
TELECONFERENCE MEETINGS UNDER ASSEMBLY BILL 361

Recitals

- A. On March 4, 2020, Governor Gavin Newsom proclaimed the existence of a state of emergency in California under the California Emergency Services Act, Gov. Code § 8550 et seq.
- B. On March 10, 2020, the Board of Supervisors found that due to the introduction of COVID-19 in the County, conditions of disaster or extreme peril to the safety of persons and property had arisen, commencing on March 3, 2020. Based on these conditions, pursuant to Government Code section 8630, the Board adopted Resolution No. 2020/92, proclaiming the existence of a local emergency throughout the County.
- C. On March 17, 2020, Governor Newsom issued Executive Order N-29-20, which 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.
- D. On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which clarified the suspension of the teleconferencing rules set forth in the Brown Act and further provided that those provisions would remain suspended through September 30, 2021.
- E. On September 16, 2021, Governor Newsom signed Assembly Bill 361, which provides that under Government Code section 54953(e), a legislative body subject to the Brown Act may continue to meet using teleconferencing without complying with the non-emergency teleconferencing rules in Government Code section 54953(b)(3) if a proclaimed state of emergency exists and state or local officials have imposed or recommended measures to promote social distancing.
- F. On September 20, 2021, the Contra Costa County Health Officer issued recommendations for safely holding public meetings that include recommended measures to promote social distancing.
- G. Among the Health Officer's recommendations: (1) on-line meetings (teleconferencing meetings) are strongly recommended as those meetings present the lowest risk of transmission of SARS-CoV-2, the virus that causes COVID-19; (2) if a local agency determines to hold in-person meetings, offering the public the opportunity to attend via a call-in option or an internet-based service option is recommended when possible to give those at higher risk of an/or higher concern about COVID-19 an alternative to participating in person; (3) a written safety protocol should be developed and followed, and it is recommended that the protocol require social distancing – i.e., six feet of

separation between attendees – and face masking of all attendees; (4) seating arrangements should allow for staff and members of the public to easily maintain at least six-foot distance from one another at all practicable times.

- H. The 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 even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations.
- I. The emergence of the Delta variant has led to a severe rise of COVID-19 infections, hospitalizations and deaths in Contra Costa County in the past two months. The Delta variant became the predominant strain among samples sequenced in Contra Costa County and California in early July 2021, and currently represents over 95% of samples sequenced both at the Contra Costa County Public Health lab and per reports of statewide sequencing.
- J. As of September 13, 2021, the seven-day rolling average of new cases in the County was 223 cases per day, a case rate that is in the “high” community transmission tier, the most serious of the CDC’s community transmission tiers.
- K. In the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the [NAME OF BOARD OR COMMISSION] intends to invoke the provisions of Assembly Bill 361 related to teleconferencing.

NOW, THEREFORE, the [NAME OF BOARD OR COMMISSION] resolves as follows:

- 1. The [NAME OF BOARD OR COMMISSION] finds that the Contra Costa County Health Officer has strongly recommended that public meetings be held by teleconferencing as those meetings present the lowest risk of transmission of SARS-CoV-2, the virus that causes COVID-19.
- 2. The [NAME OF BOARD OR COMMISSION] finds that meeting in person for meetings of the [NAME OF BOARD OR COMMISSION] would present imminent risks to the health or safety of attendees because the case rate of COVID-19 infections in the County is in the “high” community transmission tier, the most serious of the CDC’s community transmission tiers.
- 3. As authorized by Assembly Bill 361, the [NAME OF BOARD OR COMMISSION] will use teleconferencing for its meetings in accordance with the provisions of Government Code section 54953(e).
- 4. Staff is authorized and directed to take all actions necessary to implement the intent and purpose of this resolution, including conducting open and public meetings in accordance

with Government Code section 54953(e) and all other applicable provisions of the Brown Act.

5. Staff is directed to return no later than 30 days after this resolution is adopted with an item for the [NAME OF BOARD OR COMMISSION] to consider whether to continue meeting under the provisions of Assembly Bill 361.

PASSED AND ADOPTED on _____, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:



**California Special
Districts Association**
Districts Stronger Together

AB 361 Implementation Guide



California Special Districts Association

Districts Stronger Together

AB 361 – Brown Act: Remote Meetings During a State of Emergency

Background – the Governor's Executive Orders:

Starting in March 2020, amid rising concern surrounding the spread of COVID-19 throughout communities in the state, California Governor Gavin Newsom issued a series of Executive Orders aimed at containing the novel coronavirus. These Executive Orders ([N-25-20](#), [N-29-20](#), [N-35-20](#)) collectively modified certain requirements created by the Ralph M. Brown Act ("the Brown Act"), the state's local agency public meetings law.

The orders waived several requirements, including requirements in the Brown Act expressly or impliedly requiring the physical presence of members of the legislative body, the clerk or other personnel of the body, or of the public as a condition of participation in or for the purpose of establishing a quorum for a public meeting.¹² Furthermore, the orders:

- waived the requirement that local agencies provide notice of each teleconference location from which a member of the legislative body will be participating in a public meeting,
- waived the requirement that each teleconference location be accessible to the public,
- waived the requirement that members of the public be able to address the legislative body at each teleconference conference location,
- waived the requirement that local agencies post agendas at all teleconference locations, and,
- waived the requirement that at least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction.

Under the orders, local agencies were still required to provide advance notice of each public meeting according to the timeframe otherwise prescribed by the Brown Act, and using the means otherwise prescribed by the Brown Act. Agencies were – for a time – required to allow members of the public to observe and address the meeting telephonically or otherwise electronically. Local agencies were eventually explicitly freed from the obligation of providing a physical location from which members of the public could observe the meeting and offer public comment.³

In each instance in which notice of the time of the meeting was given or the agenda for the meeting was posted, the local agency was required to give notice of the manner members of the public could observe the meeting and offer public comment. In any instance in which there was a change in the manner of public observation and comment, or any instance prior to the issuance of the executive orders in which the time of the meeting had been noticed or the agenda for the meeting had been posted without also including notice of the manner of public observation and comment, a local agency would be able to satisfy this requirement by

¹ **Executive Order N-25-20**, <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.12.20-EO-N-25-20-COVID-19.pdf>

² **Executive Order N-29-20**, <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.17.20-N-29-20-EO.pdf>

³ *Ibid*



California Special Districts Association

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advertising the means of public observation and comment using "the most rapid means of communication available at the time" within the meaning of California Government Code, section 54954(e); this includes, but is not limited to, posting the manner in which the public could participate on the agency's website.

The orders also provided flexibility for a legislative body to receive a "serial" or simultaneous communication outside of an open meeting, allowing all members of the legislative body to receive updates (including, but not limited to, simultaneous updates) relevant to the emergency (including, but not limited to, updates concerning the impacts of COVID-19, the government response to COVID-19, and other aspects relevant to the declared emergency) from federal, state, and local officials, and would be allowed to ask questions of those federal, state, and local officials, in order for members of the legislative body to stay apprised of emergency operations and the impact of the emergency on their constituents. Members of a local legislative body were explicitly not permitted to take action on, or to discuss amongst themselves, any item of business that was within the subject matter jurisdiction of the legislative body without complying with requirements of the Brown Act.⁴

The Brown Act Executive Orders Sunset – September 30, 2021

On June 11, 2021, the Governor issued Executive Order N-08-21 which rescinds the aforementioned modifications made to the Brown Act, effective September 30, 2021.⁵ After that date, local agencies are required to observe all the usual Brown Act requirements *status quo ante* (as they existed prior to the issuance of the orders). Local agencies must once again ensure that the public is provided with access to a physical location from which they may observe a public meeting and offer public comment. Local agencies must also resume publication of the location of teleconferencing board members, post meeting notices and agendas in those locations, and make those locations available to the public in order to observe a meeting and provide public comment.

Following the Governor's September 16 signing of AB 361, the Governor's office contemplated immediately rescinding the remote public meeting authority provided under prior Executive Orders. Such action would have instantly impacted thousands of local agencies – potentially requiring them to cancel meetings or conduct in-person meetings or meetings pursuant to standard Brown Act teleconferencing requirements, notwithstanding the ongoing health directives related to the pandemic. After fruitful discussions between CSDA, the Governor's office, and other stakeholders on how to best assist local agencies to conduct meetings in an open and public manner, the Governor's office modified its approach and issued a revised Order on September 20, suspending the provisions of AB 361 and providing for a clear transition.⁶

Until September 30, local agencies should look to the revised Executive Order, N-15-21, to determine how to conduct a particular meeting. The revised Order makes clear that, **until September 30**, local agencies may conduct open and public remote meetings relying on the

⁴ Executive Order N-35-20, <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.21.20-EO-N-35-20.pdf>

⁵ Executive Order N-08-21, <https://www.gov.ca.gov/wp-content/uploads/2021/06/6.11.21-EO-N-08-21-signed.pdf>

⁶ Executive Order N-15-21, [gov.ca.gov/wp-content/uploads/2021/09/9.20.21-executive-order.pdf](https://www.gov.ca.gov/wp-content/uploads/2021/09/9.20.21-executive-order.pdf)



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authority provided under prior Executive Orders (rather than AB 361). The revised Order also explicitly permits a local agency to meet pursuant to the procedures provided in AB 361 **before** October 1, so long as the meeting is conducted in accordance with the requirements of AB 361. All local agencies should be aware that they **may not** conduct remote teleconference meetings pursuant to the authority in the Governor's prior Executive Orders **beyond September 30**; after that date, all meetings subject to the Brown Act must comply with standard teleconference requirements (as they existed "pre-pandemic") **OR** must comply with the newly enacted provisions of AB 361.

Any local agency that seeks to continue conducting remote teleconference meetings after September 30, **but has not taken action to transition to the provisions of AB 361**, may hold remote teleconference meetings under the standard requirements found within the Brown Act (i.e., subdivision (b) of Government Code section 54953, with remote meeting locations identified in the meeting agenda, meeting notices and agendas posted at all teleconference locations, teleconference locations accessible to the public, et cetera). Local agencies are strongly encouraged to swiftly begin preparations to ensure all Brown Act meetings and board actions taken via remote meetings after September 30 are done in a proper manner.

AB 361 – Flexibility for Remote Open Meetings During a Proclaimed State Emergency

Assembly Bill 361, introduced in February 2021 by Assembly Member Robert Rivas (D-30, Hollister) and sponsored by the California Special Districts Association, provides local agencies with the ability to meet remotely **during proclaimed state emergencies** under modified Brown Act requirements, similar in many ways to the rules and procedures established by the Governor's Executive Orders.

Important Note: AB 361's provisions can only be used in the event that a gubernatorial **state of emergency** 1) has been issued **AND** 2) remains active. It is **not sufficient** that county and/or city officials have issued a local emergency declaration – the emergency declaration must be one that is made pursuant to the California Emergency Services Act (CA GOVT § 8625).

Specifically, AB 361 suspends the requirements located in California Government Code, section 54953, subdivision (b), paragraph (3). What does this mean for local agencies? This means that, during a state of emergency, under specified circumstances, local agencies can meet pursuant to modified Brown Act requirements. Each of these modifications is broken out below.

The provisions enacted by AB 361 providing flexibility to meet remotely during a proclaimed emergency will sunset on January 1, 2024. This is subject to change if a future Legislature and Governor elect to extend the sunset or make the provisions permanent.



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AB 361 IMPACTS ON LOCAL AGENCY COMPLIANCE WITH THE BROWN ACT

Brown Act Requirement	Requirement under AB 361
If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.	<ul style="list-style-type: none"> Agendas not required to be posted at all teleconference locations. Meeting must still be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency

In the context of an emergency, members of the legislative body of a local agency may be teleconferencing from less-than-ideal locations – e.g., the private domicile of a friend or relative, a hotel room, an evacuation shelter, from a car, etc. The nature of the emergency may further compound this issue, as was the case during the COVID-19 outbreak and the necessity to implement social distancing measures. To address this issue, AB 361 provides relief from the obligation to post meeting agendas at all conference locations.

Although local agencies are relieved from this obligation, local agencies should endeavor to post meeting agendas at all usual locations where it remains feasible to do so.

Important Note: Local agencies must still provide advance notice of public meetings and must still post meeting agendas consistent with the provisions of the Brown Act. AB 361 does nothing to change the fact that meetings must still be noticed and agendized in advance.

Brown Act Requirement	Requirement under AB 361
If the legislative body of a local agency elects to use teleconferencing, each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public.	<ul style="list-style-type: none"> Agendas are not required to identify each teleconference location in the meeting notice/agenda Local agencies are not required to make each teleconference location accessible to the public

Emergencies can – and often do – happen quickly. As was the case with the 2018 Camp Fire, individuals fleeing a disaster area may end up in disparate locations throughout the state. These impromptu, ad hoc locations are not ideal for conducting meetings consistent with the usual Brown Act requirements, which may impede local agencies seeking to meet promptly in response to calamity. To that end, AB 361 removes the requirement to document each teleconference location in meeting notices and agendas. Similarly, local agencies are not required to make these teleconference locations accessible to the public.

Brown Act Requirement	Requirement under AB 361
If the legislative body of a local agency elects to use teleconferencing, during the teleconferenced meeting, at least a quorum of the members of the legislative body shall	<ul style="list-style-type: none"> No requirement to have a quorum of board members participate from within the territorial bounds of the local agency's jurisdiction



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participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction.	
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The purpose of AB 361 is to assist local agencies with continuing their critical operations despite facing emergencies that pose a risk to human health and safety – emergencies which oftentimes correspond with advisory or mandatory evacuation orders (e.g., wildfires, earthquakes, gas leaks, etc.). An emergency which drives individuals from an area could make meeting within the bounds of a local agency impossible to do feasibly or safely. Accordingly, AB 361 allows for local agencies to disregard quorum requirements related to members of a legislative body teleconferencing from locations beyond the local agency's territory.

Brown Act Requirement	Requirement under AB 361
If the legislative body of a local agency elects to use teleconferencing, the agenda shall provide an opportunity for members of the public to address the legislative body directly at each teleconference location.	<ul style="list-style-type: none"> • In each instance in which notice of the time of the teleconferenced meeting is given or the agenda for the meeting is posted, the legislative body shall also give notice of the manner by which members of the public may access the meeting and offer public comment • The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option • The legislative body shall allow members of the public to access the meeting, and the agenda shall include an opportunity for members of the public to address the legislative body directly • In the event of a disruption which prevents the local agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored



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- Written/remote public comment must be accepted until the point at which the public comment period is formally closed; registration/sign-up to provide/be recognized to provide public comment can only be closed when the public comment period is formally closed

The right of individuals to attend the public meetings of local agencies and be face-to-face with their elected or appointed public officials is viewed as sacrosanct, only able to be abrogated in the most extraordinary of circumstances. Under normal conditions, local agencies are required to allow members of the public to participate in a public meeting from the very same teleconference locations that other board members are using to attend that meeting.

AB 361 solves the specific problem of what to do in circumstances when local agencies are holding their meetings remotely during an emergency and it would be unsafe to permit access to members of the public to the remote teleconference locations. AB 361 permits local agencies to meet without making teleconference locations available to members of the public, **provided that** members of the public are afforded the opportunity to provide public comment remotely as well.

Importantly, local agencies must ensure that the opportunity for the public to participate in a meeting remains as accessible as possible. This means that local agencies cannot discriminate against members of the public participating either remotely or in-person. In practice, this means:

- Local agencies must clearly advertise the means by which members of the public can observe a public meeting or offer comment during a meeting remotely, via either a call-in or internet-based option

Importantly, local agencies are required to provide the relevant remote access information to members of the public looking to attend a meeting of a local agency legislative body. This information includes, but is not limited to: phone numbers, passwords, URLs, email addresses, etc. Using this information, members of the public must be able to attend the meeting remotely. Any of the information related to participation must be included in the relevant meeting notice(s) and meeting agenda(s). If an agency fails to provide one or more of these key pieces of information in a meeting notice or agenda, the agency should not proceed with the meeting as-is, as it could result in any subsequent action being rendered null or void.

- Agencies whose meetings are interrupted by technological or similar technical disruptions must first resolve those issues before taking any other action(s) on items on the meeting agenda

In a notable departure from the terms of the Governor's orders, AB 361 explicitly requires that local agencies must first resolve any remote meeting disruption before proceeding to take further action on items appearing on a meeting agenda. In the event that a public comment line unexpectedly disconnects, a meeting agenda was sent out with the incorrect web link or dial-in



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information, the local agency's internet connection is interrupted, or other similar circumstances, a local agency is required to stop the ongoing meeting and work to resolve the issue before continuing with the meeting agenda.

Local agencies should ensure that the public remains able to connect to a meeting and offer public comment by the means previously advertised in the meeting notice or agenda. This may require directing staff to monitor the means by which the public can observe the meeting and offer comment to ensure that everything is operating as intended.

In the event that a meeting disruption within the control of the agency cannot be resolved, a local agency should not take any further action on agenda items; the local agency should end the meeting and address the disruption in the interim, or it may risk having its actions set aside in a legal action.

Important Note: *Test, test, test! Local agencies should be testing their remote meeting setup in advance of (and during) every meeting to ensure that there are no apparent issues. Local agency staff should attempt to attend the meeting in the same way(s) made available to members of the public and demonstrate that everything is working as intended. The fact that staff tested the system before and during a meeting and failed to detect any problems may become a key factor in any potential legal action against the agency.*

- Local agencies cannot require that written comments be submitted in advance of a meeting

It is not permissible to require that members of the public looking to provide public comment do so by submitting their comment(s) in advance of a meeting – in fact, not only is this a violation of AB 361's terms, it is also a violation of the Brown Act generally. Both AB 361 and the Brown Act explicitly require that members of the public be given the opportunity to provide public comment **directly** – that is, live and at any point prior to public comment being officially closed during a public meeting. Until such time during a meeting that the chairperson (or other authorized person) calls for a close to the public comment period, members of the public are allowed to submit their public comments directly or indirectly, orally, written, or otherwise.

- Local agencies may only close registration for public comment at the same time the public comment period is closed, and must accept public comment until that point

Local agencies cannot require that individuals looking to provide public comment register in advance of a meeting (though agencies may extend the **possibility** of advance registration or commenting as a **non-mandatory** option). Nor may local agencies require that individuals looking to provide public comment register in advance of the agenda item being deliberated by a local agency. Local agencies may only close registration for public comment at the same time that they close the public comment period for all. Until the public comment period is completely closed for all, members of the public must be permitted to register for, and provide, public comment.



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Local agencies that agendize a comment period for each agenda item cannot close the public comment period for the agenda item, or the opportunity to register to provide public comment, until that agendized public comment period has elapsed.

Local agencies that do not provide an agendized public comment period but instead take public comment separately on an informal, ad hoc basis on each agenda item must allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register or otherwise be recognized for the purpose of providing public comment.

Local agencies with an agendized general public comment period that does not correspond to a specific agenda item (i.e., one occurring at the start of a meeting, covering all agenda items at once) cannot close the public comment period or the opportunity to register until the general public comment period has elapsed.

Brown Act Requirement	Requirement under AB 361
<p>A member of the public shall not be required, as a condition to attendance at a meeting of a legislative body of a local agency, to register his or her name, to provide other information, to complete a questionnaire, or otherwise to fulfill any condition precedent to his or her attendance.</p> <p>If an attendance list, register, questionnaire, or other similar document is posted at or near the entrance to the room where the meeting is to be held, or is circulated to the persons present during the meeting, it shall state clearly that the signing, registering, or completion of the document is voluntary, and that all persons may attend the meeting regardless of whether a person signs, registers, or completes the document.</p>	<ul style="list-style-type: none">• An individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body that requires registration to log in to a teleconference, may be required to register as required by the third-party internet website or online platform to participate

“Zoom meetings” became ubiquitous during the COVID-19 pandemic – for good reason. The Zoom video teleconferencing software was free (with some “premium” features even made temporarily free to all users), easily deployed, and user-friendly. All one needed was a Zoom account and then they’d be able to make use of the platform’s meeting services, hosting and attending various meetings as they pleased.

Unfortunately, the Brown Act has long prohibited the use of mandatory registration or “sign-ups” to attend public meetings or to provide public comment. Privacy and good governance concerns prohibit such information gathering from members of the public seeking to remain anonymous while also engaging with their government. Accordingly, it would normally be a concern to use any teleconference platform which may require participants to register for an account even when it is not the local agency establishing that requirement.



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AB 361 resolves this issue by explicitly allowing local agencies to use platforms which, incidental to their use and deployment, may require users to register for an account with that platform so long as the platform is not under the control of the local agency.

Important Note: Just because you "can" doesn't mean you "should." There are products on the market that do not require individuals to sign up for/sign in to an account to participate in a remote meeting. Local agencies are heavily discouraged from contacting their remote meeting platform vendor in an attempt to uncover information about meeting attendees.

RESOLUTIONS: ENACTING ASSEMBLY BILL 361

A local agency wishing to rely on the provisions of AB 361 must meet one of the following criteria:

- (A) The local agency is holding a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; or
- (B) The local agency is holding a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
- (C) The local agency is holding a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

These criteria permit a local agency to schedule a remote meeting to determine whether meeting in-person during the state of emergency would pose imminent risk to the health or safety of attendees. At that remote meeting, a local agency may determine by majority vote that sufficient risks exist to the health or safety of attendees as a result of the emergency and pass a resolution to that effect. These criteria also permit a local agency to meet remotely in the event that there is a state of emergency declaration while state or local officials have recommended or required measures to promote social distancing.

If a local agency passes a resolution by majority vote that meeting in-person during the state of emergency would present imminent risks to the health or safety of attendees, the resolution would permit meeting under the provisions of AB 361 for a maximum period of 30 days. After 30 days, the local agency would need to renew its resolution, consistent with the requirements of AB 361, if the agency desires to continue meeting under the modified Brown Act requirements, or allow the resolution to lapse.

Important Note: Consider referencing [the initial sample resolution linked on this page \(click here\)](#) in crafting your agency's initial resolution effecting the transition to these modified Brown Act requirements. While this sample resolution is provided for the benefit of local agencies, consult your legal counsel to review your agency's resolution before its consideration at a public meeting.



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After 30 days, a local agency is required to renew its resolution effecting the transition to the modified Brown Act requirements if it desires to continue meeting under those modified requirements.

Importantly, the ability to renew the resolution is subject to certain requirements and conditions. In order to renew the resolution, a local agency must:

- Reconsider the circumstances of the state of emergency
- Having reconsidered the state of emergency, determine that either
 - The state of emergency continues to directly impact the ability of the members to meet safely in person, or
 - State or local officials continue to impose or recommend measures to promote social distancing

AB 361 requires that the renewal of the resolution effecting the transition to the modified Brown Act requirements must be based on findings that the state of emergency declaration remains active, the local agency has thoughtfully reconsidered the circumstances of the state of emergency, and the local agency has either identified A) ongoing, direct impacts to the ability to meet safely in-person or B) active social distancing measures as directed by relevant state or local officials.

Important Note: Consider referencing the subsequent adoption sample resolution linked on this page ([click here](#)) in crafting your agency's renewal resolution renewing the transition to these modified Brown Act requirements. While this sample resolution is provided for the benefit of local agencies, consult your legal counsel to review your agency's resolution before its consideration at a public meeting.

Important Note: If your agency does not meet again before the 30 day period during which the resolution remains active, the resolution will lapse for lack of action by the agency. After a resolution has lapsed, if the agency seeks to meet remotely again under the modified Brown Act requirements, it must pass a new initial resolution effecting the transition to the modified Brown Act requirements, subject to the same substantive and procedural requirements as before.



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AB 361 PROCESS: AN EXECUTIVE SUMMARY

1. An emergency situation arises. The specific nature of the emergency produces an imminent risk to public health and safety.
2. A state of emergency is declared (pursuant to CA GOVT § 8625).
3. A local agency wishes to meet remotely via teleconferencing as a result of the emergency. A meeting notice/agenda are produced and posted, with an agenda item dedicated to consideration of a resolution to transition to teleconferenced meetings consistent with the terms of CA GOVT § 54953, subdivision (e).
4. A resolution is passed consistent with the terms of CA GOVT § 54953, subdivision (e), paragraph (1), subparagraph (B) (i.e., a resolution passed by majority vote determining that meeting in person would present imminent risks to the health or safety of attendees).¹ This resolution is valid for 30 days.
5. 30 days later: if the state of emergency remains active, a local agency may act to renew its resolution effecting the transition to teleconferenced meetings by passing another resolution, consistent with the terms of CA GOVT § 54953, subdivision (e), paragraph (3) (i.e., a resolution which includes findings that legislative body has both 1) reconsidered the circumstances of the state of emergency, and 2) the state of emergency continues to directly impact the ability of the members to meet safely in person.²

¹ Alternatively, in lieu of a resolution finding that meeting in person would present imminent risks to the health or safety of attendees, a local agency may use modified Brown Act procedures when state/local officials recommend/require measures to promote social distancing.

² Should state/local officials continue to impose or recommend measures to promote social distancing, this may instead be used as a basis for renewing a resolution (as opposed to the fact that the state of emergency continues to directly impact the ability of the members to meet safely in person).

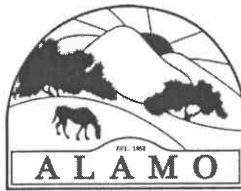
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Alamo Parks and Recreation (R-7A) Resident Survey

Your Alamo Municipal Advisory Council (MAC) wishes to better serve our community and we need your help.

Please take a few minutes to answer the questions below to provide feedback and ideas on Alamo Parks and Recreation services. Your participation ensures that the MAC will make more informed recommendations to District II Supervisor Andersen regarding existing and future parks and recreational programming. Results will be posted at www.co.contra-costa.ca.us.

Where do you live in Alamo?

- | | |
|---|---|
| <input type="checkbox"/> North of Stone Valley Road and west of 680 | <input type="checkbox"/> East of 680, out Stone Valley and Livorna down to Round Hill (including all Livorna neighborhoods) |
| <input type="checkbox"/> South of Stone Valley Road and west of 680 | <input type="checkbox"/> East of 680, Round Hill and areas east of Round Hill |

What is your age?

- ☐ Under 18
- ☐ 18 to 24 years
- ☐ 25 to 34 years
- ☐ 35 to 44 years
- ☐ 45 to 54 years
- ☐ 55 to 64 years
- ☐ 65 to 75 years
- ☐ 76 to 84 years
- ☐ 85 years and older

Do you or anyone in your household currently participate in recreational programming? If so, what kind of programs?

☐ Yes

☐ No

☐ Pre School (5 years & under)

☐ Senior

☐ Youth/School Age

☐ Sports

☐ Teen

☐ Community Event

☐ Adult

☐ Other _____

What kind of recreational facilities do you visit, and (i.e. YMCA/local churches/neighboring cities)

What recreational facilities are you aware of in Alamo? _____

If Alamo were to provide recreational programming, would you be interested in signing up?

☐ Yes

☐ No

Which populations do you believe would benefit from recreational programming in Alamo (1 being the highest priority, six being the lowest priority):

____ Adults

____ Families

____ Pre-School (Ages 5 & under)

____ Seniors

____ Teens

____ Youth

What types of recreation programs would you or members of your household be most interested in participating in?

- | | |
|--|--|
| <input type="checkbox"/> Youth Sports | <input type="checkbox"/> Outdoor Recreation |
| <input type="checkbox"/> Adult Sports | <input type="checkbox"/> Preschool Programs |
| <input type="checkbox"/> Educational Classes | <input type="checkbox"/> Youth After-School Programs |
| <input type="checkbox"/> Arts and Crafts | <input type="checkbox"/> STEAM Programs |
| <input type="checkbox"/> Family Activities | <input type="checkbox"/> Online Classes |
| <input type="checkbox"/> Parent and Me Classes | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Performing Arts | |
| <input type="checkbox"/> Life Skills | |

Please provide any additional feedback or comments regarding recreational programming in Alamo:
