

# Memo

**To:** Commission Members  
**From:** Alexander Khu  
**Re:** May 11, 2022, Special Meeting of the Commission

**Special Commission Meeting:**  
**When: WEDNESDAY May 11, 2022**  
**Time: 5:00 pm (PST)**

**VIRTUAL MEETING pursuant to Government Code Section 54953(e)**

*Persons who wish to address the board during public comment or with respect to an item on the agenda may comment by using the "raise your hand" feature in the zoom meeting.*

*In lieu of making public comments at the meeting, members of the public also may submit public comments before or during the meeting by emailing comments to Brian Kelley at [bkelly@first5coco.org](mailto:bkelly@first5coco.org). If you have difficulty emailing a public comment, please contact Brian Kelley, First 5 Contra Costa Communications Department, at 925-289-9758. **The Public may observe and participate in the Virtual Zoom Webinar by using this link:***

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/83916181233?pwd=NnNUNVlQZGc2eTVZSkZYWU4xRWtNQ09>

Passcode: 643729

Or One tap mobile :

US: +16699006833,,83916181233# or +13462487799,,83916181233#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

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Webinar ID: 839 1618 1233

International numbers available: <https://us02web.zoom.us/j/83916181233?pwd=NnNUNVlQZGc2eTVZSkZYWU4xRWtNQ09>

*The Commission Chair may reduce or eliminate the amount of time allotted to read comments at the beginning of each item or public comment period depending on the number of comments and the business of the day. Your patience is appreciated.*

Please let me know if you have any questions.

Kind Regards,

Alexander Khu, Executive Assistant, First 5 Contra Costa

*Due to a facilities issue, First 5 Contra Costa staff are temporarily unable to access our office telephones. Please direct all communications via email. Thank you!*





**SPECIAL Commission Meeting**

**A G E N D A**

WEDNESDAY, May 11, 2022

5:00 pm

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**1.0 Convene and Call to Order**

- 2.0 CONSIDER adopting a resolution authorizing First 5 Contra Costa to conduct teleconference meetings under Government Code section 54953 (e) and making related findings. ACTION**

**3.0 Closed Session**

- 3.1 Public Employee Performance Evaluation (Gov. Code § 54957.6)**

Title: Executive Director

- 3.2 Conference with Labor Negotiators (Gov. Code § 54957.6)**

Agency Negotiator: Dr. Cio Hernandez

Unrepresented Employee: Executive Director

**4.0 Public Comment**

*The public may comment on any item of public interest within the jurisdiction of the First 5 Contra Costa Children and Families Commission. In accordance with the Brown Act, if a member of the public addresses an item not on the posted agenda, no response, discussion, or action on the item may occur.*

**SPECIAL Commission Meeting AGENDA**

WEDNESDAY May11, 2022

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## **5.0 Adjourn**

The First 5 Contra Costa Children and Families Commission will provide reasonable accommodations for persons with disabilities planning to participate in Commission meetings who contact the Commission's offices, at least 48 hours before the meeting, at (925) 771-7300.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the First 5 Contra Costa Children and Families Commission to a majority of members of the First 5 Contra Costa Children and Families Commission less than 96 hours prior to that meeting are available for public inspection at 1485 Civic Court, Suite 1200, Concord, CA 94520 during normal business hours.

In consideration of those who may suffer from chemical sensitivities or who may have allergic reactions to heavy scents, First 5 Contra Costa requests that staff and visitors refrain from wearing perfume, cologne, or the use of strongly scented products in the work place. We thank you for your consideration of others.



May 11, 2022

Agenda Item 2.0

**CONSIDER adopting a resolution authorizing First 5 Contra Costa to conduct teleconference meetings under Government Code section 54953(e) and making related findings.**



## RESOLUTION NO. 2022-03

### A RESOLUTION OF THE FIRST 5 CONTRA COSTA CHILDREN AND FAMILIES COMMISSION AUTHORIZING TELECONFERENCE MEETINGS UNDER GOVERNMENT CODE SECTION 54953(e) (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 Contra Costa County 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 of Supervisors adopted Resolution No. 2020/92, proclaiming the existence of a local emergency throughout Contra Costa 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 March 1, 2022, 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. Because of the prevalence of the Omicron variant of COVID-19 in the Bay Area, test positivity rates and COVID-19 hospitalizations are near historic highs in the County.
- I. In the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the First 5 Contra Costa Children and Families Commission (First 5) intends to invoke the provisions of Assembly Bill 361 related to teleconferencing.

NOW, THEREFORE, the First 5 Contra Costa Children and Families Commission resolves as follows:

1. First 5 finds that: the state of emergency proclaimed by Governor Newsom on March 4, 2020, is currently in effect; and 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. As authorized by Assembly Bill 361, First 5 will use teleconferencing for its meetings in accordance with the provisions of Government Code section 54953(e).
3. The Executive Officer 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.

PASSED AND ADOPTED on May 11, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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CHAIR, FIRST 5 CONTRA COSTA CHILDREN AND FAMILIES COMMISSION

I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.

Dated: May 11, 2022

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Ruth Fernandez, Executive Director