



**ACCESS COMMITTEE MEETING AGENDA**

On September 16, 2021, the Governor signed AB 361, which amended certain provisions of the Ralph M. Brown Act (Government Code section 54950, *et seq.*) to allow for local agency legislative bodies to conduct their meetings remotely either telephonically or by other electronic means under specified circumstances. Thus, pursuant to Government Code section 54953(e), the San Mateo County Child Care Partnership Council meeting will be conducted via remote conferencing.

**Monday, November 15, 2021, 09:00 a.m. – 10:15 a.m.**

**Website Link:**

<https://smcoe.zoom.us/j/94392814583?pwd=ZU9paEJRanUrc0ITZUIyU0hBNHRQdz09>

**Meeting ID:** 943 9281 4583    **Passcode:** 806931

**Dial In:** 1-669-900-9128

<b>Call to Order</b>	Christine Padilla
<b>Adopt a resolution finding that, as a result of continuing COVID-19 pandemic state of emergency, meeting in person for the Child Care Partnership Council’s Access Committee would present imminent risks to the health or safety of attendees <i>ATTACHMENTS 1A AND 1B</i></b>	Christine Padilla <b><i>ACTION ITEM</i></b>
<b>Approval of November 15, 2021 Access Committee Meeting Agenda and Meeting Minutes for September 20, 2021 <i>ATTACHMENT 2</i></b>	Christine Padilla
<b>Item #1: Welcome, Introductions and Check-in</b>	Christine Padilla
<b>Item #2: Update on Open and Closed Facilities</b>	Sarah Kinahan
<b>Item #3: Discussion of Universal Preschool/Transitional Kindergarten</b>	Sarah Kinahan
<b>Item #4: Hot Topics</b>	Christine Padilla
<b>Adjournment</b>	Christine Padilla

*The next Access Committee meeting is  
Monday, January 24, 2022: 9:00 a.m. to 10:15 a.m.*

**Date:** November 15, 2021

**To:** San Mateo County Child Care Partnership Council Access Committee

**From:** Sarah Kinahan, CCPC Coordinator

**Subject:** Resolution to make findings allowing continued remote meetings under Brown Act

**RECOMMENDATION:**

Adopt a resolution finding that, as a result of the continuing COVID-19 pandemic state of emergency declared by Governor Newsom, meeting in person for the San Mateo County Child Care Partnership Council Access Committee would present imminent risks to the health or safety of attendees.

**BACKGROUND:**

On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which rescinded his prior Executive Order N-29-20 and set a date of October 1, 2021 for public agencies to transition back to public meetings held in full compliance with the Brown Act. The original Executive Order provided that all provisions of the Brown Act that required the physical presence of members or other personnel as a condition of participation or as a quorum for a public meeting were waived for public health reasons. If these waivers had fully sunset on October 1, 2021, legislative bodies subject to the Brown Act would have to contend with a sudden return to full compliance with in-person meeting requirements as they existed prior to March 2020, including the requirement for full physical public access to all teleconference locations from which board members were participating.

On September 16, 2021, the Governor signed AB 361, a bill that formalizes and modifies the teleconference procedures implemented by California public agencies in response to the Governor's Executive Orders addressing Brown Act compliance during shelter-in-place periods. AB 361 allows a legislative body to continue to use teleconferencing under the same basic rules as provided in the Executive Orders when certain circumstances occur or when certain findings have been made and adopted by the legislative body.

AB 361 provides that Brown Act legislative bodies must return to in-person meetings on October 1, 2021, unless they choose to continue with fully teleconferenced meetings because a specific declaration of a state or local health emergency is appropriately made. AB 361 allows legislative bodies to continue to conduct virtual meetings as long as there is a gubernatorially-proclaimed public emergency in combination with (1) local health official recommendations for social distancing or (2) adopted findings that meeting in person would present an imminent risk to health or safety of attendees. AB 361 became effective on October 1, 2021 and will sunset on January 1, 2024.

AB 361 also requires that, if the state of emergency remains active for more than 30 days, the legislative body must make findings by majority vote every 30 days to continue using the bill's exemption to the Brown Act teleconferencing rules. The findings demonstrate the need for teleconferencing persists due to the nature of the ongoing public health emergency. Effectively, this means that legislative bodies must either agendaize a Brown Act meeting once every thirty days to make these findings, or, if a legislative body has not made such findings within the prior 30 days, the legislative body must re-adopt the initial findings if it wishes to conduct a remote meeting.

**DISCUSSION:**

California Department of Public Health 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 that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations (<https://www.cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html>).

On September 28, 2021, in the interest of public health and safety, as affected by the state of emergency caused by the spread of COVID-19, the Board of Supervisors issued a finding that meeting in person would present imminent risks to the health or safety of attendees, and decided to invoke the provisions of AB 361 related to teleconferencing for Board meetings. The Board also strongly encouraged other County legislative bodies to make a similar finding and continue meeting remotely through teleconferencing; and

Accordingly, we recommend that the San Mateo County Child Care Partnership Council Access Committee avail itself of the provisions of AB 361 allowing continuation of online meetings by adopting findings to the effect that conducting in-person meetings would present an imminent risk to the health and safety of attendees. A resolution to that effect and directing staff to take such other necessary or appropriate actions to implement the intent and purposes of the resolution, is attached hereto.

**FISCAL IMPACT:**

None

**RESOLUTION FINDING THAT, AS A RESULT OF THE CONTINUING COVID-19 PANDEMIC STATE OF EMERGENCY DECLARED BY GOVERNOR NEWSOM, MEETING IN PERSON FOR THE SAN MATEO COUNTY CHILD CARE PARTNERSHIP COUNCIL ACCESS COMMITTEE WOULD PRESENT IMMEDIATE RISKS TO THE HEALTH OR SAFETY OF ATTENDEES**

**WHEREAS**, on March 4, 2020, pursuant to Government Code section 8550, et seq., Governor Newsom proclaimed a state of emergency related to the COVID-19 novel coronavirus, and subsequently, the San Mateo County Board of Supervisors (“Board”) declared a local emergency related to COVID-19, and the proclamation by the Governor and declaration by the Board remain in effect;

**WHEREAS**, on March 17, 2020, Governor Newsom issued Executive Order N- 29-20, which suspended certain provisions in the California Open Meeting law, Government Code section 54950, et seq. (the “Brown Act”), related to teleconferencing by legislative bodies, provided certain requirements were met and followed; and

**WHEREAS**, on June 11, 2021, the Governor issued Executive Order N-08-21, which extended provisions of Executive Order N-29-20 that waive otherwise-applicable Brown Act requirements related to remote/teleconference meetings by legislative bodies through September 30, 2021; and

**WHEREAS**, on September 16, 2021, Governor Newsom signed AB 361 into law, and AB 361 provides that a legislative body subject to the Brown Act may continue to meet without complying with the otherwise-applicable requirements in the Brown Act related to remote/teleconference meetings by legislative bodies, provided that a state of emergency has been declared and the legislative body determines that meeting in person would present imminent risks to the health or safety of attendees, and provided that the legislative body makes such finding at least every thirty (30) days during the term of the declared state of emergency; and bodies, provided that a state of emergency has been declared and the legislative body determines that meeting in person would present imminent risks to the health or safety of attendees, and provided that the legislative body makes such finding at least every thirty (30) days during the term of the declared state of emergency; and

**WHEREAS**, California Department of Public Health 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 that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations (<https://www.cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html>); and

**WHEREAS**, on September 28, 2021, in the interest of public health and safety, as affected by the state of emergency caused by the spread of COVID-19, the Board issued a finding that meeting in person would present imminent risks to the health or safety of attendees, and decided to invoke the provisions of AB 361 related to teleconferencing for meetings of the Board; and

**WHEREAS**, the Board also strongly encouraged other County legislative bodies to make a similar finding and continue meeting remotely through teleconferencing; and

**WHEREAS**, the San Mateo County Child Care Partnership Council Access Committee has an important governmental interest in protecting the health, safety and welfare of those who participate in its meetings; and

**WHEREAS**, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the San Mateo County Child Care Partnership Council Access Committee finds that meeting in person would present imminent risks to the health or safety of attendees, and the San Mateo County Child Care Partnership Council Access Committee will therefore invoke the provisions of AB 361 related to teleconferencing for meetings of the San Mateo County Child Care Partnership Council.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that

1. The recitals set forth above are true and correct.
2. The San Mateo County Child Care Partnership Council Access Committee finds that meeting in person would present imminent risks to the health or safety of attendees.
3. Staff is directed to take such other necessary or appropriate actions to implement the intent and purposes of this resolution.



**SAN MATEO COUNTY CHILD CARE PARTNERSHIP COUNCIL  
ACCESS COMMITTEE  
MEETING MINUTES**

**September 20, 2021  
Virtual Meeting via Zoom**

**CCPC Members Present:** Christine Padilla (Chair), Sarah Poulain, Christine Thorsteinson  
**Members of the Public:** Pamela Campos, Karen Pace  
**Minutes:** Christine Padilla

**1. Call to Order**

Christine Padilla called the meeting to order at 9:00 a.m.

**2. Action to set the agenda for September 20, 2021, and Approval of the Minutes for the June 21, 2021 meeting**

MOTION:       POULAIN/ SECOND: CAMPOS  
 AYES:           Unanimous  
 NOES:           NONE  
 ABSTAIN:       NONE

**3. Welcome, Introductions and Check-in**

Christine invited everyone to introduce themselves.

**4. Discussion of Committee Focus Area for 21-22**

The group reviewed the list of focus areas that was brainstormed at the May 17, 2021 meeting.

The group reviewed the Access portion of the CCPC's Strategic Plan and generated ideas to be included in the issue brief being developed for Congresswoman Speier.

The group would like to better understand whether facilities remain open or have closed and believe programs should be surveyed to find out which programs have open slots and other supports they need. Once we understand the landscape, are there "on the ground" pilot solutions we can propose?

The group brainstormed a list of transportation issues related to access:

- Need to make access easier for parents juggling several drop-offs at different locations/times
- Could one-time funds be used to purchase automobiles? What are the potential liability issues? Could programs contract with rideshare companies?
- Access should be a key component of the Needs Assessment: Provide true mapping of programs by zip code (including features like capacity and vacancies) that overlays with public transportation routes.
- Can advocate for walkability in communities and access to local child care so families don't need transportation.



The group discussed the potential for partnerships with Parents Helping Parents, and other similar organizations, as a way to support inclusion.

The group discussed how issues of affordability impact access:

- Family fees do not compensate highly enough to raise teacher compensation
- Middle-income families lack access to subsidized child care
- Opportunities to support families with access to economic upward mobility – example: [whywelift.org](http://whywelift.org)

The group talked about a public education campaign being conducted by the Santa Clara County Office of Education, [Steps to Success](#). This campaign is designed to increase enrollment in preschool and uses social media, advertisements on buses, and other communication channels to promote the messages of the safety of early learning and care and the importance of having children attend early learning programs.

## 5. Adjournment

Christine adjourned the meeting at 10:15 a.m.

**The next CCPC Access Committee meeting is  
Monday, November 15, 2021, 9:00 a.m. - 10:15 a.m.**