

STAFF SUMMARY FOR APRIL 15-16, 2020

1. APPROVE AGENDA AND ORDER OF ITEMS**Today's Item**Information Action

Consider determining that adding an agenda item with less than 10 days' notice is necessary and approving the agenda and order of items.

Summary of Previous/Future Actions

- **Today's hearing** **Apr 15-16, 2020; Teleconference**

Background

The Bagley-Keene Open Meeting Act generally requires a minimum of 10-day notice for any subject FGC wants to discuss. Government Code Section 11125.3 allows the Commission to discuss matters with less than 10 days' notice when the Commission makes either of the following determinations:

1. an emergency situation exists. or
2. there is a need to take immediate action and that the need for action came to the attention of the Commission subsequent to the original agenda being posted.

An "emergency situation" means any of the following, as determined by a majority of the members of the state body during a meeting prior to the emergency meeting, or at the beginning of the emergency meeting:

1. Work stoppage or other activity that severely impairs public health or safety, or both.
2. Crippling disaster that severely impairs public health or safety, or both.

On Mar 22, 2020, Governor Gavin Newsom requested a Presidential Major Disaster Declaration to assist in California's COVID-19 preparedness and emergency response efforts. On the same day, a federal declaration was issued stating that a major disaster exists in the State of California related to COVID-19.

Significant Public Comments (N/A)**Recommendation**

FGC staff: Make a finding that adding an agenda item with less than 10 days' notice is necessary. Postpone Items 3(B), 4, 5, 6, 7, 13 and 31 to a future FGC meeting.

Exhibits (N/A)**Motion/Direction**

Moved by _____ and seconded by _____ that the Commission determines, that:

1. the spread of the coronavirus that causes COVID-19 constitutes a crippling disaster that severely impairs public health and safety, and

STAFF SUMMARY FOR APRIL 15-16, 2020

- (2) evaluating the need for a response to that disaster requires immediate action and that the need for action came to the attention of the Commission subsequent to the agenda being posted as specified in Section 11125.

AND

Moved by _____ and seconded by _____ that the Commission approves the agenda and postpones items 3(B), 4, 5, 6, 7, 13 and 31 to a future Commission meeting.