



Housing Authority of the  
County of Alameda

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**ADDENDUM TO PERSONNEL COMMITTEE AGENDA**

**Posted: November 8, 2021**

**By: Melissa Taesali, Executive Assistant/Housing Commission Clerk**

Personnel Committee Meeting Agenda posted on: November 4, 2021

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The following is an addendum to the Wednesday, November 10, 2021, Personnel Committee meeting agenda:

**ADD PERSONNEL COMMITTEE AGENDA ITEM NO. 1.A.**

**Action:** Resolution 01-21 Approving the Implementation of Teleconferencing Requirements Under Government Code Section 54953(e) (AB361)



**PERSONNEL COMMITTEE MEETING**  
**Special Meeting: November 10, 2021**  
**Time: 8:00 a.m.**

Due to the COVID-19 public health emergency, the Personnel Committee meetings are teleconferenced to protect the public’s health and prevent the disease and its variants from spreading in our communities. The public can still attend and participate in the meetings through Zoom or by telephone. Here are the instructions on how to access this meeting:

<b>How to attend this meeting using the Zoom Video Conference platform:</b>		
Members of the public may listen, view, and/or participate in this meeting using Zoom. You may have to download the Zoom app, however, using Zoom and downloading the Zoom app is free. You can access the Zoom meeting through one of the following ways:		
<p><b>Join by clicking on this link:</b> <a href="https://us02web.zoom.us/j/88460095724">https://us02web.zoom.us/j/88460095724</a></p>	<p><b>OR</b></p> <p>Use your computer or laptop and go to: <a href="https://zoom.us/join">https://zoom.us/join</a></p> <p>Type in/enter Meeting ID: <u>884 6009 5724</u></p>	<p><b>OR</b></p> <p>Use your mobile device such as a cell phone, iPad and/or tablet. If you don’t have the Zoom app on your device, first download the Zoom app to your device (it’s free) then go in the app and tap on “Join Meeting.”</p> <p>Type in/enter Meeting ID: <u>884 6009 5724</u></p>

<b>How to participate in this meeting by phone:</b>
Dial: 1-888-788-0099 then when prompted, enter Meeting ID: <u>884 6009 5724</u>

**PUBLIC COMMENT**

Members of the public can email their public comment(s) to [melissat@haca.net](mailto:melissat@haca.net). Public comments on a matter that is **not** on the Personnel Committee’s agenda will be read during the “Public Comment” period of the meeting. Public comments on a specific agenda item should include the person’s name and the agenda item number. The public comments submitted by email will be read when the Personnel Committee Chairperson calls for public comments on the agenda item. The public may also voice their public comments during the meeting by joining the meeting on Zoom or by telephone. If a member of the public is submitting their comments on Zoom or by telephone, there is a time limit of 3 minutes for each public speaker. The Chairperson has the discretion to further limit this time if warranted by the number of public speakers who wish to address the Personnel Committee.

Thank you for your understanding and flexibility during the COVID-19 public health emergency. If you have any questions, please email [melissat@haca.net](mailto:melissat@haca.net) or call (510)727-8511.

**(CONTINUED ON NEXT PAGE)**



## ADDENDUM

**PERSONNEL COMMITTEE MEETING**  
**Special Meeting: November 10, 2021**  
**Time: 8:00 a.m.**

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1. CALL TO ORDER / ROLL CALL		
<b>1A. RESOLUTION NO. 01-21 APPROVING THE IMPLEMENTATION OF TELECONFERENCING REQUIREMENTS UNDER GOVERNMENT CODE SECTION 54953 (e) (AB 361)</b>	<b>ACTION</b>	
2. APPROVAL OF THE MINUTES OF THE SEPTEMBER 8, 2021 MEETING	ACTION	3
3. PUBLIC COMMENT - <i>On matters not on the agenda</i>		
4. NEW BUSINESS		
4-1. <u>Personnel Rule 1-2.</u> Approve Amendments to Personnel Rules	ACTION	8
5. ADJOURNMENT		

# **TELECONFERENCING REQUIREMENTS**

## **RESOLUTION NO. 01-21**

**APPROVING THE IMPLEMENTATION OF TELECONFERENCING REQUIREMENTS UNDER  
GOVERNMENT CODE SECTION 54953 (e) (AB 361)**

**HOUSING AUTHORITY OF THE COUNT OF ALAMEDA**

**PERSONNEL COMMITTEE AGENDA STATEMENT**

Meeting: November 10, 2021

**Action:** Consideration to Approve Resolution to Implement  
Teleconferencing Requirements Pursuant to Government Code section  
54953 (e) AB 361

**Personnel Rule:** N/A

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**BACKGROUND**

On March 17, 2020, to address the need for public meetings during the present public health emergency caused by the COVID-19 virus, Governor Newsom issued Executive Order No. N-29-20, suspending the existing requirements and criteria under the Brown Act enabling public agencies to conduct their public agenda meetings by teleconference. On June 11, 2021, Governor Newsom issued Executive Order No. N-8-21, continuing the suspension of the Brown Act's teleconferencing requirements through September 30, 2021. Both these Executive Orders allowed public agencies to meet virtually without providing members of the public the right to access the locations from which members of the public agency's elected officials participated in meetings, thereby eliminating the access requirements under the standard Brown Act teleconference requirements.

On September 16, 2021, Governor Newsom signed into law, Assembly Bill ("AB") 361, amending Government Code section 54953 to provide authority and specific requirements for public agencies to continue to hold virtual meetings after September 30, 2021, during a proclaimed state of emergency and remain in compliance with the Brown Act (Gov. Code §§ 54950, *et seq.*). However, on September 20, 2021, Governor Newsom issued Executive Order N-15-21, delaying the full application of AB 361 until October 1, 2021, allowing public agencies to continue to hold virtual meetings through September 30, 2021.

**DISCUSSION and ANALYSIS**

The new law enacted by AB 361 requires a notice requirement which provides members of the public instructions on how to access the public agency's virtual meetings enabling members of the public to communicate directly with the agency's elected body during the allotted public comment time. In contrast, the prior Executive Orders issued by Governor Newsome limited public comments to only comments submitted in advance of the meeting.

AB 361 also adds a procedural requirement requiring public agencies to adopt a resolution in advance of conducting any further virtual public meetings. Government Code section 54953(e) permits legislative bodies and public agencies to make decisions whether to hold virtual meetings at the time of the meeting and does not restrict it to one-time use. Additionally, AB 361 requires public agencies to adopt subsequent resolutions every 30 days to continue the use of virtual meetings.

The Housing Commission adopted such a resolution at their regular meeting held on October 13, 2021. The requirements under AB361 apply to the Housing Commission's committees separately. Consequently, if your Personnel Committee chooses to continue to conduct virtual meetings it must also adopt the resolution called for in Government Code section 54953(e) and your committee may wait until the time of your next meeting to adopt the), provided that such resolution is the first item on the agenda and the resolution is approved by a simple majority. After the adoption of such resolution, your Personnel Committee may proceed with the rest of the public agenda.

Staff is recommending that your Personnel Committee approve the resolution implementing the teleconferencing requirements pursuant to Government Code section 54953(e) as amended by AB 361.

**HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA  
PERSONNEL COMMITTEE**

**RESOLUTION NO. 01-21**

**APPROVING THE IMPLEMENTATION OF TELECONFERENCING REQUIREMENTS UNDER  
GOVERNMENT CODE SECTION 54953 (e) (AB 361)**

**WHEREAS**, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconference rules set forth in the California Open Meeting law, Government Code section 54950, *et seq.* (the “Brown Act”), which provided certain requirements were met and followed; and

**WHEREAS**, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 that 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; and

**WHEREAS**, a further required condition of Government Code section 54953(e) is that state or local officials have imposed or recommended measures to promote social distancing, and;

**WHEREAS**, due to the seriousness of the current pandemic situation, the Housing Authority of the County of Alameda requires all employees to wear facial coverings indoors when not in a private office and remain socially distanced; and

**WHEREAS**, Government Code section 54953(e) requires that the public agency make additional findings every thirty (30) days to continue virtual meetings.

**NOW, THEREFORE, BE IT RESOLVED:**

1. All the above recitals are true and correct and are incorporated into this Resolution by this reference.
2. The Personnel Committee finds that state and local officials have imposed or recommended measures to promote social distancing.
3. The Personnel Committee therefore determines that it and its legislative body shall conduct their meetings virtually by teleconferencing in accordance with Government Code section 54953(e)
4. This Resolution expires thirty (30) days after the date of its adoption only to the extent required by law. Otherwise, this Resolution shall remain in effect until repealed by the Personnel Committee or pursuant to action by the Personnel Committee.

**PASSED, APPROVED AND ADOPTED** by the Personnel Committee of the Housing Commission of the Housing Authority of the County of Alameda on this 10th day of November 2021 by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**EXCUSED:**

**ABSENT:**

**ATTEST:**

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Kurt Wiest  
Housing Commission Secretary/Executive Director

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Michael Hannon  
Personnel Committee Chairperson

Adopted: November 10, 2021