



COUNTY OF SAN DIEGO ENVIRONMENTAL HEALTH AND QUALITY ADVISORY BOARD MEETING

MEETING AGENDA Wednesday, December 14, 2022 8:30 a.m. – 10:00 a.m.

In response to the Coronavirus (COVID-19) pandemic, and pursuant to Government Code section 54953(e), the Environmental Health & Quality Advisory Board (“EHQAB”) has elected to conduct “hybrid” meetings. These meetings will allow for in-person meetings to be held at a physical location while providing for EHQAB members and members of the public to participate via teleconference accessing the meeting by computer, smart-phone, or dial up phone. The physical location of the EHQAB meeting will be as follows:

5500 Overland Avenue
2nd Floor, Conference Room 211
San Diego, CA 92123

Join Zoom Meeting

<https://us06web.zoom.us/j/82910455755?pwd=MnBLUWZWZSGFYanNpMExFUW9VWm5JQT09>

Meeting ID: 829 1045 5755

Passcode: 742552

One tap mobile

+16699006833,,82910455755#,,,,*742552# US (San Jose)

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I. CALL TO ORDER

Malcolm Vinje

II. ROLL CALL

Ana Becker

III. REQUESTED ACTION:

Adopt the Resolution entitled, “A RESOLUTION OF THE GOVERNING BOARD OF THE SAN DIEGO COUNTY ENVIRONMENTAL HEALTH AND QUALITY ADVISORY BOARD RELATING TO THE HOLDING OF TELECONFERENCE MEETINGS PURSUANT TO GOVERNMENT CODE SECTION 54953(E).” (*Attachment A*)

IV. APPROVAL OF MINUTES

Malcolm Vinje

- November 16, 2022

V. PUBLIC COMMENTS

Malcolm Vinje

Public input will be accepted on any agenda item. Presentations are limited to three minutes. Please notify the Chairperson, prior to the start of the meeting, if you wish to speak on any item or you may telephone the DEHQ Executive Office at (858) 505-6794.

VI. 2022 EHQAB ANNUAL REPORT & DRAFT 2023 MEETING TOPICS

VII. UPDATES FROM DEHQ EXECUTIVE OFFICE **Heather Buonomo, Director of Environmental Health** **Steven Tamayo, Deputy Director, DEHQ**

- AB 2449 – New State Law Changes to Brown Act Teleconferencing Rules
 - *Effective January 1, 2023, and will be required starting at February EHQAB meeting when AB 361 and AB 2449 no longer apply*
- Upcoming Board Letters
- Vacancies Report

VIII. ADJOURN

Malcolm Vinje

Next Meeting: January 25, 2023, 8:30 a.m. – 10:00 a.m. – *will continue to offer both virtual and in person meeting options until there are changed conditions*

A RESOLUTION OF THE COUNTY OF SAN DIEGO ENVIRONMENTAL HEALTH AND
QUALITY ADVISORY BOARD RELATING TO THE HOLDING OF TELECONFERENCE
MEETINGS PURSUANT TO GOVERNMENT CODE SECTION 54953(e)

WHEREAS, the San Diego County Environmental Health and Quality Advisory Board (“Board”) is committed to preserving and nurturing public access and participation in meetings of the Board and promoting and protecting the health and safety of Board members, employees, and members of the public; and

WHEREAS, all meetings of the District’s legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code §§ 54950 – 54963), so that any member of the public may attend, participate, and watch the District’s legislative bodies conduct their business; and

WHEREAS, Government Code section 54953(e) makes provisions for remote teleconferencing participation in meetings by members of a legislative body without compliance with the requirements of Government Code section 54953(b)(3) under any of the following circumstances:

- (A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing;
- (B) The legislative body holds 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 legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, on March 4, 2020, the Governor proclaimed a state of emergency relating to the COVID-19 pandemic, and such state of emergency remains in effect; and

WHEREAS, state and local officials continue to recommend measures to promote social distancing under certain circumstances or for certain populations, including, but not limited to, persons who have COVID-19, persons who have recently been in close contact with a person who has COVID-19, and persons in high-risk groups; and

WHEREAS, the Board desires to conduct their meetings by teleconference or videoconference without compliance with the teleconferencing provisions of Government Code section 54953(b)(3), as authorized by section 54953(e), and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in section 54953(e)(2).

NOW, THEREFORE, THE ENVIRONMENTAL HEALTH AND QUALITY ADVISORY BOARD DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Finding of Governor's Proclamation of a State of Emergency and Recommended Social Distancing Measures. The Board hereby finds that the Governor of the State of California's proclaimed state of emergency relating to COVID-19, effective as of its issuance date of March 4, 2020, remains in effect, and that state and local officials continue to recommend social distancing measures under certain circumstances or for certain populations to minimize the spread of COVID-19.

Section 3. Remote Teleconference Meetings. The staff and board members of the County of San Diego Environmental Health and Quality Advisory Board are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 4. 30 Day Renewal of Finding. If the Board does not hold a meeting within the next 30 days, the Chair is directed to review the status of the state of emergency and whether state or local officials continue to impose or recommend measures to promote social distancing. If both conditions exist, the Chair is directed to memorialize such determination in writing and such writing will be presented for ratification at the next meeting of the Board.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall remain in effect until the earlier of: (i) 30 days after adoption of this Resolution; or (ii) the Board adopts a subsequent resolution or motion in accordance with Government Code section 54953(e)(3). In the event that a Board-approved resolution or motion pursuant to Government Code section 54953(e)(3) is not in effect at the time another legislative body is to hold a meeting, such other legislative body is authorized to adopt its own resolution or motion in accordance with Government Code section 54953(e)(3).

PASSED AND ADOPTED by the Board of the County of San Diego Environmental Health and Quality Advisory Board, this 14th day of December, 2022, by the following vote:

AYES:

ABSENT:

APPROVED AS TO FORM AND LEGALITY
Gregory Lusitana, Senior Deputy County Counsel

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