



CITY AND COUNTY OF SAN FRANCISCO IMMIGRANT RIGHTS COMMISSION

CERTIFICATION OF EXECUTIVE DIRECTOR OF THE COMMISSION

Commissioners:

Celine Kennelly, Chair
Mario Paz, Vice Chair
Elahe Enssani
Donna Fujii
Haregu Gaime
Ryan Khojasteh
Camila Andrea Mena
Lucia Obregon
Nima Rahimi
Franklin M. Ricarte
Jessy Ruiz
Sarah Souza
Alicia Wang

Executive Director:

Adrienne Pon
Office of Civic Engagement
& Immigrant Affairs

Resolution No. 2021-04

Date Passed: November 8, 2021

[RESOLUTION TO ALLOW TELECONFERENCED MEETINGS]

Resolution making findings to allow teleconferenced meetings under California Government Code Section 54953(e)

November 8, 2021

San Francisco Immigrant Rights Commission

Ayes: 9- Chair Kennelly, Vice Chair Paz, Commissioners Gaime, Khojasteh, Mena, Obregon, Ricarte, Souza, Wang

Nays: 0

File No. IRC2021-04

I hereby certify that I am the duly appointed Executive Director of the Immigrant Rights Commission and that the attached resolution was adopted and approved by the Immigrant Rights Commission of the City and County of San Francisco at a properly noticed Full Commission meeting on November 8, 2021.

A handwritten signature in black ink that reads "Adrienne Pon".

Adrienne Pon
Executive Director
Office of Civic Engagement & Immigrant Affairs

Date: November 9, 2021

1 RESOLUTION TO ALLOW TELECONFERENCED MEETINGS

2

3 **Resolution making findings to allow teleconferenced meetings under California**
4 **Government Code Section 54953(e)**

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6 WHEREAS, California Government Code Section 54953(e) empowers local policy bodies to
7 convene by teleconferencing technology during a proclaimed state of emergency under the
8 State Emergency Services Act so long as certain conditions are met; and

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10 WHEREAS, In March, 2020, the Governor of the State of California proclaimed a state of
11 emergency in California in connection with the Coronavirus Disease 2019 (“COVID-19”)
12 pandemic, and that state of emergency remains in effect; and

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14 WHEREAS, In February 25, 2020, the Mayor of the City and County of San Francisco (the
15 “City”) declared a local emergency, and on March 6, 2020 the City’s Health Officer declared a
16 local health emergency, and both those declarations also remain in effect; and

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18 WHEREAS, On March 11 and March 23, 2020, the Mayor issued emergency orders
19 suspending select provisions of local law, including sections of the City Charter, that restrict
20 teleconferencing by members of policy bodies; those orders remain in effect, so City law
21 currently allows policy bodies to meet remotely if they comply with restrictions in State law
22 regarding teleconference meetings; and

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24 WHEREAS, On September 16, 2021, the Governor signed AB 361, a bill that amends the
25 Brown Act to allow local policy bodies to continue to meet by teleconferencing during a state

1 of emergency without complying with restrictions in State law that would otherwise apply,
2 provided that the policy bodies make certain findings at least once every 30 days; and

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4 WHEREAS, While federal, State, and local health officials emphasize the critical importance
5 of vaccination and consistent mask-wearing to prevent the spread of COVID-19, the City's
6 Health Officer has issued at least one order (Health Officer Order No. C19-07y, available
7 online at www.sfdph.org/healthorders) and one directive (Health Officer Directive No. 2020-
8 33i, available online at www.sfdph.org/directives) that continue to recommend measures to
9 promote physical distancing and other social distancing measures, such as masking, in
10 certain contexts; and

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12 WHEREAS, The California Department of Industrial Relations Division of Occupational Safety
13 and Health ("Cal/OSHA") has promulgated Section 3205 of Title 8 of the California Code of
14 Regulations, which requires most employers in California, including in the City, to train and
15 instruct employees about measures that can decrease the spread of COVID -19, including
16 physical distancing and other social distancing measures; and

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18 WHEREAS, Without limiting any requirements under applicable federal, state, or local
19 pandemic-related rules, orders, or directives, the City's Department of Public Health, in
20 coordination with the City's Health Officer, has advised that for group gatherings indoors,
21 such as meetings of boards and commissions, people can increase safety and greatly reduce
22 risks to the health and safety of attendees from COVID-19 by maximizing ventilation, wearing
23 well-fitting masks (as required by Health Officer Order No. C19-07), using physical distancing
24 where the vaccination status of attendees is not known, and considering holding the meeting

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1 remotely if feasible, especially for long meetings, with any attendees with unknown
2 vaccination status and where ventilation may not be optimal; and

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4 WHEREAS, On July 31, 2020, the Mayor issued an emergency order that, with limited
5 exceptions, prohibited policy bodies other than the Board of Supervisors and its committees
6 from meeting in person under any circumstances, so as to ensure the safety of policy body
7 members, City staff, and the public; and

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9 WHEREAS, The Immigrant Rights Commission has met remotely throughout the COVID-19
10 pandemic and can continue to do so in a manner that allows public participation, language
11 access and transparency while minimizing health risks to members, staff, and the public that
12 would be present with in-person meetings while this emergency continues; and

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14 WHEREAS, On October 18, 2021, the Immigrant Rights Commission approved a policy
15 making findings to allow ongoing teleconferenced meetings; now, therefore, be it

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17 RESOLVED, That the Immigrant Rights Commission finds as follows:

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- 19 1. As described above, the State of California and the City remain in a state of emergency
20 due to the COVID-19 pandemic. At this meeting, the Immigrant Rights Commission
21 considered the circumstances of the state of emergency.
 - 22
 - 23 2. As described above, State and City officials continue to recommend measures to promote
24 physical distancing and other social distancing measures, in some settings.

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1 3. As described above, because of the COVID-19 pandemic, conducting meetings of this
2 body in person with public access to such meetings would present imminent risks to the
3 safety of attendees, and the state of emergency continues to directly impact the ability of
4 members to meet safely in person; and, be it

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6 FURTHER RESOLVED, That for at least the next 60 days, meetings of the Immigrant Rights
7 Commission may continue to occur by teleconferencing technology (and not by any in-person
8 meetings with public access to the places where any policy body member is present for the
9 meeting). Such meetings of Immigrant Rights Commission that occur by teleconferencing
10 technology shall continue to provide an opportunity for members of the public to address this
11 body and will otherwise occur in a manner that protects the statutory and constitutional rights
12 of parties and the members of the public attending the meeting via teleconferencing; and, be
13 it

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15 FURTHER RESOLVED, That the Executive Director and clerk of the Immigrant Rights
16 Commission are directed to place a resolution substantially similar to this resolution on the
17 agenda of a future meeting of the Immigrant Rights Commission within the next 30 days. If
18 the Immigrant Rights Commission does not meet within the next 30 days, the staff is directed
19 to place such a resolution on the agenda of the next meeting of Immigrant Rights
20 Commission.

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