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Date: August 31, 2023

To: Planning Commission

From: William Carroll, Asst. County Counsel

Re: Public Participation by Zoom

Generally, the Brown Act governs public participation in Planning Commission meetings. Among Brown Act requirements, the Commission shall provide an opportunity for members of the public to address the Commission as to matters within its jurisdiction or as to specific items on its agenda. (Gov't Code § 54954.3).

Traditionally, spoken public comment was only received at the physical location of the meeting; there was no explicit requirement to receive such comment from remote locations. Then, in March of 2020, due to the COVID epidemic, Governor Newsom issued Executive Order N-29-20 which allowed/required remote public participation at Brown Act meetings. While that order was in effect, the Siskiyou County Planning Commission used the internet (and specifically the "Zoom" service) to broadcast its proceedings and receive public comment. Order N-29-20 expired in September of 2021.

Presently, the Planning Commission has continued to allow use of the internet (via "Zoom") for receiving both: (1) staff/consultant presentations and (2) spoken public comments. The Board of Supervisors also presently allows use of the internet for the same purposes, although in its two special meetings this year, the Board allowed use of the internet as a broadcast mechanism only.

Presently, the Planning Commission has several options in regard to use of the internet at meetings (and counsel does not have any particular recommendation):

1. Continue to allow use of the internet both for broadcast and to receive spoken public comment.
2. Allow use of the internet as a means to broadcast only (although possibly continuing to allow staff or consultant to make presentations if necessary).
3. Discontinue use of the internet entirely.
4. Some other policy.

Recommended motion: If the Commission so desires, approve the proposed resolution establishing a policy regarding remote public attendance.

RESOLUTION PC 2023-015

A Resolution of the Planning Commission of The County of Siskiyou, State of California, Establishing A Policy Regarding Remote Public Attendance

Whereas, the meetings of the Planning Commission of Siskiyou County are subject to the Brown Act (Government Code Section 54950 et seq.); and

Whereas, such meetings are open to the public and shall provide opportunity for public comment as set forth in Government Code Section 54593; and

Whereas, the Planning Commission has historically received public comment only either by in-person attendance or by receipt of written comments (physical or electronic); and

Whereas, remote public participation only commenced upon the Governor's Executive Order N-29-20 (March 17, 2020), which Order was issued in order to address the ongoing health and safety concerns arising from an epidemic at that time, and which Order expired on September 30, 2021;

Now, therefore, be it resolved that the Planning Commission of Siskiyou County hereby declares that:

1. That if an internet service is available to do so, Planning Commission proceedings may be broadcast over the internet and the Planning Commission may receive staff and consultant presentations.

2. The internet shall not be a means by which to receive spoken public comment to Planning Commission proceedings.

3. This policy shall be suspended for any meeting where the Brown Act, or any other law or order, would require that remote access be provided to the public.

It is hereby certified that the foregoing Resolution PC 2023-015 was duly adopted on a motion by Commissioner _____ and seconded by Commissioner _____ at a regular meeting of the Siskiyou County Planning Commission held on the 20th day of September, 2023 by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Siskiyou County Planning Commission

Danielle Lindler, Chair

Witness, my hand and seal this 20th day of September 2023

Hailey Lang, Secretary of the Commission