



May 15, 2020

**ACTION ITEM**

**SUBJECT: COVID-19 AND EMERGENCY SITUATION**

**SUMMARY OF THE ISSUE**

The Bagley-Keene Open Meetings Act defines the basis by which a public body may conduct an emergency meeting. Specifically, Government Code section 11125.5 states, in part:

In the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, a state body may hold an emergency meeting without complying with the 10-day notice requirement of Section 11125 or the 48-hour notice requirement of Section 11125.4.

(b) For purposes of this section, “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.

In light of the continued COVID-19 pandemic, and supported by the Governor’s Emergency Proclamation, an emergency situation exists so as to conduct an emergency meeting.

**RECOMMENDATION**

First 5 California staff recommends the Commission approve conducting an emergency meeting based on the requirements for an emergency situation, as defined by the Bagley-Keene Open Meetings Act.

**ATTACHMENTS**

None.