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Date: September 1, 2025

MEMO TO: Siskiyou County Planning Commission

FROM: William M. Carroll, Assistant County Counsel

RE: Discontinuing remote participation to Planning Commission meetings

Background: Before 2020 and the existence of the COVID-19 virus, the Planning Commission did not offer the ability for the public to attend (or listen to) Planning Commission meetings over the internet, such as through “Zoom” or “Teams”.

In 2020 and in reaction to the spread of COVID-19, the Governor issued an executive order (Order N-29-20) authorizing public meetings to occur by telecommunications and remote access. In response to the order and due to the pandemic, the Planning Commission commenced allowing attendance at its meetings through the internet.

Current status: In September of 2021 the Governor’s order ended and was not renewed. The technical meeting requirements have reverted back to the Brown Act, where there is no requirement to broadcast meetings over the internet/teleconferencing: *“while the Brown Act contains specific requirements for conducting a teleconference, the decision to use teleconferencing is entirely discretionary with the body.”*¹ In the past few years, there have been attempts by the legislature to mandated that local governments provide for the ability to attend meetings remotely. (AB 339 of the 2021 session and AB 2449 of the 2022 session). None of those prior attempts were enacted into law.

Despite those previous failed attempts, there is now presently Senate Bill 707 before the state legislature which would require that any meeting subject to the Brown Act need to provide for an opportunity for the public to attend either via a 2-way telephonic

¹ League of California Cities, “Open & Public VI, A Guide to the Ralph M. Brown Act”, p. 25.

service or a 2-way audiovisual platform.² Presently Senate Bill 707 is being reviewed by Senate committees at the time of this memo and has not been voted upon. Were it to be enacted, it would likely become effective next year.

Conclusion: Presently there is no legal obligation to broadcast proceedings over the internet or similar means, although there is potential that by next year such a requirement will exist if Senate Bill 707 is enacted. In the meantime, a proposed resolution terminating internet broadcasting by the Planning Commission is attached to this memo if the Planning Commission so wishes to approve, or otherwise, the Commission may simply choose to take no action.

Proposed motion (if applicable) : I move to approve the proposed resolution to terminate remote public attendance to Planning Commission meetings.

Attch: Proposed resolution

² SB707 would amend Gov't Code Section 54953.4 of the Brown Act to state in part:

*... All open and public meetings **shall include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform, except if adequate telephonic or internet service is not operational at the meeting location.** If adequate telephonic or internet service is operational at the meeting location during only a portion of the meeting, the legislative body shall include an opportunity for members of the public to attend via a two-way telephonic service or a two-way audiovisual platform during that portion of the meeting....*

RESOLUTION PC 2025-015

A Resolution of the Planning Commission of The County of Siskiyou, State of California, Discontinuing Remote Public Attendance of Planning Commission Meetings

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 continued to provide remote public access through the internet since a 2020 Executive Order mandating such access be provided due to COVID but which Executive Order has terminated; and

Whereas, the Brown Act does not presently mandate that local boards provide remote access; and

Whereas, it is advantageous to the Planning Commission to hear and examine witnesses and commentators in-person as to agenda items and hearings before the Commission;

Now, therefore, be it resolved that the Planning Commission of Siskiyou County hereby declares that Planning Commission meetings shall not be broadcast over the internet except by further direction of the Planning Commission or unless otherwise mandated by state law.

It is hereby certified that the foregoing Resolution PC 2025-15 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 17th day of September, 2025 by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Siskiyou County Planning Commission

Jeff Fowle, Chair

Witness, my hand and seal this 17th day of September 2025

Hailey Lang, Secretary of the Commission