

**AGENDA**  
**BELVEDERE TIBURON LIBRARY AGENCY**  
**Special Meeting**  
**Friday, November 12, 2021, 10:00 am**  
Belvedere Tiburon Library  
1501 Tiburon Blvd, Tiburon, California

This meeting will be held remotely via Zoom. The meeting can be accessed beginning at 9:45 am at the following address: <https://us02web.zoom.us/j/81017429591?pwd=YVhUNjIUL0FwYWgyNjVldUpUdFAOUT09>

Meeting ID: 810 1742 9591      Password: 798611

To phone in:

One tap mobile    +16699006833,,81017429591#,,,,\*798611# US (San Jose)

Dial by your location      +1 669 900 6833 US (San Jose)

Find your local number: <https://us02web.zoom.us/j/81017429591?pwd=YVhUNjIUL0FwYWgyNjVldUpUdFAOUT09>

**CALL TO ORDER/ROLL CALL**

**OPEN FORUM**

This is an opportunity for any citizen to briefly address the Board of Trustees on any matter that does not appear on this agenda. Upon being recognized by the Chair, please state your name, address, and limit your oral statement to no more than three minutes. Matters that appear to warrant a lengthier presentation or Board consideration may be placed on the agenda for further discussion at a later meeting.

**TRUSTEE CONSIDERATIONS**

The purpose of Trustee Considerations is to list items for discussion and potential action.

- 1. CONSIDERATION OF APPROVAL OF RESOLUTION NO. 270-2021 PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY EXECUTIVE ORDER N-08-21, DATED JUNE 11, 2021, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF THE BELVEDERE-TIBURON LIBRARY AGENCY FOR THE PERIOD NOVEMBER 13, 2021 – DECEMBER 12, 2021 PURSUANT TO BROWN ACT PROVISIONS.**

**CLOSED SESSION**

Closed Session: (per Government Code Section 54957 and 54954.5 (e))

PUBLIC EMPLOYEE APPOINTMENT

Title: Library Director

Return from Closed Session

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION, IF ANY.

**NOTICE**

**AMERICANS WITH DISABILITIES ACT**

*The following accommodations will be provided, upon request, to persons with a disability: agendas and/or agenda packet materials in alternate formats; special assistance needed to attend or participate in this meeting. Please make your request at the office of the Administrative Assistant or by calling (415) 789-2660. Whenever possible, please make your request three days in advance.*

RESOLUTION NO. 270-2021

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BELVEDERE-TIBURON LIBRARY AGENCY PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY EXECUTIVE ORDER N-08-21, DATED JUNE 11, 2021, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF THE BELVEDERE-TIBURON LIBRARY AGENCY FOR THE PERIOD NOVEMBER 13, 2021 – DECEMBER 12, 2021 PURSUANT TO BROWN ACT PROVISIONS.

WHEREAS, the Belvedere-Tiburon Library Agency is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of Belvedere-Tiburon Library Agency'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 Agency's legislative bodies conduct their business; and

WHEREAS, the Brown Act, 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), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the Agency's jurisdictional boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in the Agency's jurisdiction, specifically surge of Covid-19 cases related to the Delta Variant and certain provisions of COVID-19 related Executive Orders currently remain necessary to continue to help California respond to, recover from, and mitigate the impacts of the COVID-19 pandemic, including California's ongoing vaccination programs, and the termination of certain provisions of COVID-19 related Executive Orders during this stage of the emergency would compound the effects of the emergency and impede the State's recovery by disrupting important governmental and social functions; and

WHEREAS, AB 361 allows for the continuation of teleconferenced meetings to ensure social distancing, which will avoid the potential spread of the Delta Variant among the unvaccinated and the vaccinated; and

WHEREAS, the Board of Trustees does hereby find that Covid-19 infections are currently at 11.8 cases per 100,000, social distancing continues to be recommended by the Centers for Disease Control and Marin County Public Health Officers, and the high level of transmissibility of the Delta Variant has caused, and will continue to cause, conditions of peril to the safety of persons within the Agency's jurisdiction that are likely to be beyond the control of services, personnel, equipment, and facilities of the Agency, and desires to proclaim a local emergency and ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency, the Board of Trustees does hereby find that the legislative bodies of the Belvedere-Tiburon Library Agency shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, the Agency will continue to use a Zoom platform, which does not require registrations, provides a non-internet telephone only option, and has proven over the past 16 months to adequately allow for public participation and comment, to provide free access to the Board of Trustee meetings,

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE BELVEDERE-TIBURON LIBRARY AGENCY 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. Proclamation of Local Emergency. The Board hereby proclaims that a local emergency now exists throughout the Agency's jurisdiction, and Marin County Health officers continue to recommend social distancing and avoidance of in person meetings,

Section 3. Ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of June 11, 2021.

Section 4. Remote Teleconference Meetings. The Library Director and legislative bodies of the Belvedere-Tiburon Library Agency 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 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) December 12, 2021, or such time the Board of Trustees adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the Belvedere-Tiburon Library Agency may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Trustees of the Belvedere-Tiburon Library Agency, this 12th day of November, 2021, by the following vote:

I CERTIFY that the foregoing resolution was duly and regularly adopted by the Governing Board of the Belvedere-Tiburon Library Agency, Marin County, California, at a special meeting thereof, held on the 12<sup>th</sup> day of November, 2021.

AYES: TRUSTEES:

NOES: TRUSTEES:

ABSENT: TRUSTEES:

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Jeff, Slavitz, Library Agency Chair

ATTEST:

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Kristin Johnson, Clerk