



Agencies/Organizations affected by Action Items or Discussion Items on the agenda for today's meeting are:

NONE

**Conflict of Interest Reminder for Commissioners and Alternates:**

Commissioners with a direct financial interest (for themselves or their family members) shall recuse themselves from the decision on the proposal.

Commissioners who wish to recuse themselves for reason other than a financial interest (such as a possible perception of personal or professional bias for or against a proposal), may recuse themselves from the decision. Commissioners are asked to carefully evaluate this if there might be any problem with a quorum.

It is the Commission's practice to ask individuals who are recusing themselves to leave the room while the proposal is being considered. If you recuse yourself, please remain available in the Health Dept. waiting room, so that you can be easily found to rejoin the meeting for subsequent agenda items.

**Advisory Committee Members Participation.** Advisory Committee members should avoid any perception of influencing the Commissioner's funding decisions affecting their own agencies. Although they may speak on any agenda item at any time, it is impossible to speak regarding one's own agency's First 5 funding without the public perception of bias, and they are encouraged to avoid doing so. Although it is appropriate to answer specific questions of the Commission regarding a proposal affecting their agency, it would be inappropriate to advocate for a proposal affecting their agency.



**ATTACHMENT # 1**  
FIRST 5 Meeting, December 1, 2021

**Item 1.** Adopt a Resolution Making Findings in Support of Allowing Remote Meetings Pursuant to AB361 (Modified Brown Act Procedures During a Declared Emergency) based on the CalOSHA regulations recommending social distancing to prevent the spread of COVID-19. (attachment #1)

Action requested: Adopt a Resolution Making Findings in Support of Allowing Remote Meetings Pursuant to AB361

**RESOLUTION**  
**OF THE FIRST 5 COMMISSION OF THE COUNTY OF TUOLUMNE**  
**PROCLAIMING AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF**  
**THE FIRST 5 COMMISSION FOR 30 DAYS PURSUANT TO AB361 BROWN ACT**  
**PROVISIONS.**

WHEREAS, the County of Tuolumne is committed to preserving and nurturing public access and participation in meetings of the First 5 Commission; and

WHEREAS, all meetings of First 5 Commission 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 First 5 Commission 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 County's boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, a further required condition of Government Code section 54953(e) is that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body holds a meeting to determine or has determined by a majority vote that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, on March 4, 2020, the Governor proclaimed pursuant to his authority under the California Emergency Services Act, California Government Code section 8625, that a state of emergency exists with regard to a novel coronavirus (a disease now known as COVID-19); and

WHEREAS, on June 4, 2021, the Governor clarified that reopening of California on June 15, 2021, did not include any change to the proclaimed state of emergency or the powers exercised thereunder; and

WHEREAS, on June 11, 2021, Governor Newsom also issued Executive Order N-08-21, which set expiration dates for certain paragraphs of the State of Emergency Proclamation dated March 4, 2020, and other Executive Orders but did not rescind the proclaimed state of emergency; and,

WHEREAS, as of the date of this Resolution, neither the Governor nor the state Legislature have exercised their respective powers pursuant to Government Code section 8629 to lift the state of emergency either by proclamation or by concurrent resolution the state Legislature; and,

WHEREAS, the California Department of Industrial Relations has issued regulations related to COVID-19 Prevention for employees and places of employment. Title 8 of the California Code of Regulations, Section 3205(5)(D) specifically recommends physical (social) distancing as one of the measures to decrease the spread of COVID-19 based on the fact that particles containing the virus can travel more than six feet, especially indoors; and,

WHEREAS, the First 5 Commission finds that state or local officials have imposed or recommended measures to promote social distancing, based on the California Department of Industrial Relations' issuance of regulations related to COVID-19 Prevention through Title 8 of the California Code of Regulations, Section 3205(5)(D); and,

WHEREAS, the First 5 Commission meetings will be conducted virtually wherein the public may appear remotely to participate in the meeting; and

WHEREAS, on occasion a First 5 Commission member may need to appear and participate in a Commission meeting remotely in order to comply with Public Health guidance, the Commission desires to allow such participation using the requirements of AB361;

NOW, THEREFORE, THE FIRST 5 COMMISSION OF THE COUNTY OF TUOLUMNE 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. The Commission acknowledges the Governor has declared a state of emergency related to the novel coronavirus and hereby proclaims that state officials have imposed or recommended measures to promote social (physical) distancing based on the California Department of Industrial Relations' issuance of regulations related to COVID-19 Prevention through Title 8 of the California Code of Regulations, Section 3205(5)(D).

Section 3. Remote Teleconference Meetings. The Chair of the Commission is 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 4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of November 6, 2021, or such time the Commission adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Commission may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.



**Item 5.** Consider action to approve Minutes for October 6, 2021 (attachment #3)

Action requested: to Approve Minutes for October 6, 2021

First 5 Tuolumne County Commission  
**Minutes of Meeting October 6, 2021, 2:15 – 4:15 pm**  
Meeting held via Zoom

Voting Members Present: Michelle Clark, Anaiah Kirk, Lisa Hieb-Stock, Dee Keshner, Cathy Parker, Laura Sunday  
Alternates: Pam Orebaugh  
Staff Present: Garcia

Welcome and Introductions

Meeting called to order at 2:18 pm.

Action Items

1. Adopt a Resolution Making Findings in Support of Allowing Remote Meetings Pursuant to AB361 (Modified Brown Act Procedures During a Declared Emergency) based on the CalOSHA regulations recommending social distancing to prevent the spread of COVID-19. (attachment #1)
  - Discussion: none
  - Motion: approve a Resolution in Support of Allowing Remote Meetings
  - Moved: Commissioner Parker
  - Seconded: Commissioner Sunday
  - Abstain: none
  - Motion carried: 8 ayes: (Clark, Kirk, Hieb-Stock, Keshner, Sunday, Orebaugh, Parker, Martin)
  - Recusal: None
2. Consider action to approve Minutes for August 4, 2021 (attachment #2)
  - Discussion: none
  - Motion: approve action to approve Minutes for August 4, 2021
  - Moved: Commissioner Orebaugh
  - Seconded: Commissioner Keshner
  - Abstain: none
  - Motion carried: 8 ayes: (Clark, Kirk, Hieb-Stock, Keshner, Sunday, Orebaugh, Parker, Martin)
  - Recusal: None
3. Election of Officers (attachment #3)
  - Chair: Clark
  - Vice Chair: Kirk
  - Treasurer: Keshner
  
  - Discussion: none
  - Motion: approve the slate of officers as presented
  - Moved: Commissioner Sunday
  - Seconded: Commissioner Heib-Stock
  - Abstain: none
  - Motion carried: 8 ayes: (Clark, Kirk, Hieb-Stock, Keshner, Sunday, Orebaugh, Parker, Martin)

Recusal: None

4. Consider action to approve the grant from Anthem Blue-Cross for \$50,000 (attachment #4)  
Discussion: none  
Motion: approve the grant from Anthem Blue-Cross for \$50,000  
Moved: Commissioner Sunday  
Seconded: Commissioner Keshner  
Abstain: none  
Motion carried: 7 ayes: (Clark, Kirk, Hieb-Stock, Keshner, Sunday, Orebaugh, Parker)  
Recusal: Commissioner Martin
5. Consider action to allow First 5 Director to hire a consultant to facilitate the data system integration with a contract not to exceed \$5,000.  
Discussion: none  
Motion: approve action to allow First 5 Director to hire a consultant to facilitate the data system integration with a contract not to exceed \$5,000.  
Moved: Commissioner Kirk  
Seconded: Commissioner Orebaugh  
Abstain: none  
Motion carried: 8 ayes: (Clark, Kirk, Hieb-Stock, Keshner, Sunday, Orebaugh, Parker, Martin)  
Recusal: None

Discussion Items, Information Items and Reports

6. Recognize the retirement of Donna Fone
7. Update Signature Card with new commission officers
8. Ethics Training Reminder and Form 700 <https://localethics.fppc.ca.gov/login.aspx> (link to training)
9. Small Grant Discussion
10. Monthly Financial Reports through August 2021, (attachment #5)
11. Reports from Executive Director, Commissioners and Ex-Officios

Time and location for next meeting:

December 1, 2021 2:15 pm, Location To Be Announced

Adjournment: 3:20 p.m.



**ATTACHMENT # 6**  
FIRST 5 Meeting, December 1, 2021

**Item 6.** Monthly Financial Report through October 2021 (attachment #4)

Available at the meeting