

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

RESOLUTION NO. 2021-127

**A RESOLUTION AUTHORIZING CONTINUED TELECONFERENCED MEETINGS OF
THE BOARD OF SUPERVISORS
AND THOSE OF OTHER BOARD-APPOINTED COMMISSIONS, COMMITTEES, AND
BOARD DURING THE EXISTING STATE OF EMERGENCY**

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic pursuant to his authority under the California Emergency Services Act, Government Code section 8625; and

WHEREAS, the proclaimed State of Emergency remains in effect as of the date of this Resolution; and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting law, Government Code section 54950 et seq. (the “Brown Act”), provided certain requirements were met and followed; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 that clarified the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021; and

WHEREAS, on September 16, 2021, Governor Newsom signed into law Assembly Bill 361 which allows, until January 1, 2024, a legislative body subject to the Brown Act to use teleconferencing without complying with specified Brown Act restrictions in certain state emergencies; and

WHEREAS, Assembly Bill 361 further provides that if the State of Emergency remains active or state or local officials have imposed measures to promote social distancing, the legislative body must, in order to continue to meet subject to this exemption to the Brown Act, no later than 30 days after it commences using the exemption, and every 30 days thereafter, make specified findings; and

WHEREAS, on September 20, 2021, Governor Newsom issued Executive Order N-15-21 that clarified that, except as therein specified, the requirements of Executive Order N-08-21 continue to govern the meeting of legislative bodies subject to the Brown Act through September 30, 2021; and

WHEREAS, COVID-19 and variants thereof remain a current threat to the health and safety of the general public, County staff, and members of this Board; and

WHEREAS, the Board of Supervisors is empowered by Article XI, section 7 of the California Constitution to take actions necessary to protect public, health, welfare and safety

within the unincorporated areas of the County; and

WHEREAS, the County has an important governmental interest in protecting the health, safety and welfare of those who participate in meetings of the County's various legislative bodies subject to the Brown Act; and

WHEREAS, in response to the current threat to the public of the COVID-19 virus and its existing and potential variants, there is a desire to implement teleconference meetings pursuant to the requirements of the Brown Act so long as this State of Emergency continues to exist.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Lake as follows:

1. The recitals set forth above are true and correct and establish the factual basis for the Board of Supervisors' resolution.
2. A State of Emergency continues to exist as a result of COVID-19 and the County of Lake has implemented and continues to require social distancing measures for County facilities.
3. The Board of Supervisors finds that meeting in person may impact the ability of the Board members to meet safely in person and may present imminent risks to the health and safety of the members, staff, and attendees.
4. The Board of Supervisors finds that all County of Lake commissions, committees, and boards established by this Board which are subject to the requirements of the Brown Act are similarly subject to the emergency conditions and findings herein and authorized to continue teleconferenced meetings pursuant to the provisions of Assembly Bill 361.
5. Staff is directed to return no later than thirty (30) days after the adoption of this resolution with an item for the Board to consider making the findings required by Assembly Bill 361 in order to continue meeting under its provisions.
6. The County Administrative Officer is directed to take such other necessary or appropriate actions to implement the intent and purposes of this resolution.

PASSED AND ADOPTED this 28th day of September, 2021, by the following vote:

AYES: Supervisors Simon, Crandell, Scott, Pyska, and Sabatier

NOES: None

ABSENT: None

COUNTY OF LAKE

Bruno Sabatier

Bruno Sabatier (Oct 1, 2021 09:36 PDT)

Chair Board of Supervisors

ATTEST: CAROL J. HUCHINGSON
Clerk of the Board of Supervisors

APPROVED AS TO FORM:
ANITA L. GRANT

By: _____

By: *Johanna DeLong*
Johanna DeLong (Oct 1, 2021 10:35 PDT)

Deputy