

RESOLUTION NO. 2022-26

**RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS
AUTHORIZING REMOTE TELECONFERENCE MEETINGS
OF THE BOARD OF SUPERVISORS
FOR THE PERIOD FEBRUARY 8, 2022 – MARCH 10-2022
PURSUANT TO THE RALPH M. BROWN ACT.**

WHEREAS, all meetings of the Solano County Board of Supervisors and its legislative bodies are open and public, as required by the Ralph M. Brown Act (Gov. Code §§ 54950 – 54963, the “Brown Act”), so that any member of the public may attend, participate, and view the legislative bodies conduct their business; and

WHEREAS, Government Code section 54953(e) of the Brown Act 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 requirements; and

WHEREAS, a required condition of Government Code section 54953(e) 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(b); 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, Governor Newsom issued a Proclamation of a State of Emergency declaring a state of emergency exists in California due to the threat of COVID-19, pursuant to the California Emergency Services Act (Government Code section 8625); 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, 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(c)(5)(D), the Board of Supervisors finds that state or local officials have imposed or recommended measures to promote social distancing; and,

WHEREAS, Title 8 of the California Code of Regulations, Section 3205(c) requires the County to establish, implement and maintain a COVID-19 Prevention Program, which the County has done; and

WHEREAS, the County's COVID-19 Prevention Program either recommends or requires County employees to social distance or not to enter County facilities under certain circumstances; and

WHEREAS, the Board of Supervisors previously adopted a resolution, Resolution No. 2022-5 on January 11, 2022, finding that the requisite conditions exist for its legislative bodies to conduct its meetings without complying with Government Code section 54953(e)(3); and

WHEREAS, the Board of Supervisors does hereby find that it and its legislative bodies may continue to conduct their meetings by teleconferencing without compliance with Government Code section 54953(b)(3), pursuant to Section 54953(e), and that, when doing so, such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed by Government Code section 54953(e)(2).

RESOLVED, that all of the above recitals are true and correct and are incorporated into this Resolution by this reference.

RESOLVED, that the Board of Supervisors 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(c) (5)(D).

RESOLVED, that the Board of Supervisors, any one or all of its members, and any of its legislative bodies 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 when provisions of the County's COVID-19 Prevention Program recommend or require social distancing or that a member not enter a County facility.

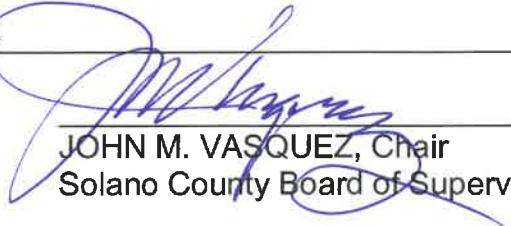
RESOLVED, that this Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) March 10, 2022, or (ii) such time the Board of Supervisors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which its legislative bodies may continue to teleconference without compliance with Section 54953(b)(3).

Passed and adopted by the Solano County Board of Supervisors on February 8, 2022, by the following vote:

AYES: SUPERVISORS: Hannigan, Brown, Spering, Mashburn, and Chair Vasquez

NOES: SUPERVISORS: None

EXCUSED: SUPERVISORS: None



JOHN M. VASQUEZ, Chair
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: 

Alicia Draves, Chief Deputy Clerk