

RESOLUTION NO. 22-01

**A RESOLUTION OF THE COMMUNITY ACTION COMMISSION OF RIVERSIDE COUNTY
AUTHORIZING REMOTE TELECONFERENCE MEETINGS
FOR THE PERIOD JULY 21, 2022 THROUGH AUGUST 21, 2022
PURSUANT TO THE RALPH M. BROWN ACT**

WHEREAS, pursuant to its Bylaws, all meetings of the Community Action Partnership of Riverside County and its committees 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 view such 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 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WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-07-21, which formally rescinded the Stay-at-Home Order (Executive Order N-33-20), as well as the framework for a gradual, risk-based reopening of the economy (Executive Order N-60-20, issued on May 4, 2020) but

1 did not rescind the proclaimed state of emergency; and,

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

5 **WHEREAS**, on February 25, 2022, Governor Newsom issued Executive Order N-04-22, which set
6 expiration dates for certain paragraphs of the State of Emergency Proclamation dated March 4, 2020 and
7 other Executive Orders but did not rescind the proclaimed state of emergency; and,

8 **WHEREAS**, on February 28, 2022, Governor Newsom issued Executive Order N-05-22, which
9 updated and extended the Division of Occupational Safety and Health (Cal/OSHA) COVID-19 Emergency
10 Temporary Standards but did not rescind the proclaimed state of emergency; and,

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

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

19 **WHEREAS**, on May 5, 2022, the COVID-19 Prevention Emergency Temporary Standards were
20 updated related to workplace standards but otherwise remain in effect, including for training and instruction
21 on physical (social) distancing as one of the measures to decrease the spread of COVID-19; and,

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

26 **WHEREAS**, as a consequence, the Community Action Commission of Riverside County does
27 hereby find that it, and its committees, shall conduct their meetings by teleconferencing without
28 compliance with Government Code section 54953 (b)(3), pursuant to Section 54953(e), and that such

1 bodies shall comply with the requirements to provide the public with access to the meetings as prescribed
2 by Government Code section 54953(e)(2).

3 **NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED** by the Community
4 Action Commission of Riverside County, in regular session assembled on July 21, 2022, does hereby
5 resolve as follows:

6 Section 1. Recitals. All of the above recitals are true and correct and are incorporated into this
7 Resolution by this reference.

8 Section 2. State or Local Officials Have Imposed or Recommended Measures to Promote
9 Social Distancing. The Community Action Commission of Riverside County hereby proclaims
10 that state officials have imposed or recommended measures to promote social (physical) distancing
11 based on the California Department of Industrial Relations' issuance of regulations related to COVID-19
12 Prevention through Title 8 of the California Code of Regulations, Section 3205(c)(5)(D).

13 Section 3. Remote Teleconference Meetings. The Community Action Commission of
14 Riverside County and any of its committees are hereby authorized and directed to take all actions
15 necessary to carry out the intent and purpose of this Resolution including, conducting open and public
16 meetings in accordance with Government Code section 54953(e) and other applicable provisions of the
17 Brown Act.

18 Section 4. Effective Date. This Resolution shall take effect immediately upon its adoption and
19 shall be effective until the earlier of (i) August 21, 2022, or (ii) such time the Community Action
20 Commission of Riverside County adopts a subsequent resolution in accordance with Government
21 Code section 54953(e)(3) to extend the time during which its legislative bodies may continue to
22 teleconference without compliance with Section 54953(b)(3).

23 ADOPTED this 21st day of July 2022 by the Community Action Commission of Riverside
24 County, by the following vote:

25 YES:

26 NO:

27 ABSENT:

28 ABSTAIN: