

1 **RESOLUTION NO. 22-01**

2 **A RESOLUTION OF THE FIRST 5 RIVERSIDE COUNTY**
3 **CHILDREN & FAMILIES COMMISSION FINANCE SUBCOMMITTEE**
4 **AUTHORIZING REMOTE TELECONFERENCE MEETINGS**
5 **OF THE LEGISLATIVE BODIES OF FIRST 5 RIVERSIDE COUNTY**
6 **CHILDREN & FAMILIES COMMISSION]**

7 **FOR THE PERIOD NOVEMBER 30, 2022 THROUGH DECEMBER 30, 2022**

8 **PURSUANT TO THE RALPH M. BROWN ACT.**

9
10 **WHEREAS**, all meetings of **FIRST 5 RIVERSIDE COUNTY CHILDREN & FAMILIES**
11 **COMMISSION** and its legislative bodies are open and public, as required by the Ralph M. Brown Act
12 (Cal. Gov. Code §§ 54950 – 54963), so that any member of the public may attend, participate, and view the
13 legislative bodies conduct their business; and

14 **WHEREAS**, the Brown Act, Government Code section 54953(e), makes provisions for remote
15 teleconferencing participation in meetings by members of a legislative body, without compliance with the
16 requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions and
17 requirements; and

18 **WHEREAS**, a required condition of Government Code section 54953(e) is that a state of emergency
19 is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of
20 conditions of disaster or of extreme peril to the safety of persons and property within the state caused by
21 conditions as described in Government Code section 8558(b); and

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

26 **WHEREAS**, on March 4, 2020, Governor Newsom issued a Proclamation of a State of Emergency
27 declaring a state of emergency exists in California due to the threat of COVID-19, pursuant to the California
28 Emergency Services Act (Government Code section 8625); and,

1 **WHEREAS**, on June 11, 2021, Governor Newsom issued Executive Order N-07-21, which
2 formally rescinded the Stay-at-Home Order (Executive Order N-33-20), as well as the framework for a
3 gradual, risk-based reopening of the economy (Executive Order N-60-20, issued on May 4, 2020) but did
4 not rescind the proclaimed state of emergency; and,

5 **WHEREAS**, on June 11, 2021, Governor Newsom also issued Executive Order N-08-21, 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**, as of the date of this Resolution, neither the Governor nor the state Legislature have
9 exercised their respective powers pursuant to Government Code section 8629 to lift the state of emergency
10 either by proclamation or by concurrent resolution the state Legislature; and,

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

16 **WHEREAS**, the **FIRST 5 RIVERSIDE COUNTY CHILDREN & FAMILIES COMMISSION**
17 finds that state or local officials have imposed or recommended measures to promote social distancing,
18 based on the California Department of Industrial Relations' issuance of regulations related to COVID-19
19 Prevention through Title 8 of the California Code of Regulations, Section 3205(5)(D); and,

20 **WHEREAS**, as a consequence, the **FIRST 5 RIVERSIDE COUNTY CHILDREN &**
21 **FAMILIES COMMISSION** does hereby find that it and its legislative bodies shall conduct their meetings
22 by teleconferencing without compliance with Government Code section 54953 (b)(3), pursuant to Section
23 54953(e), and that such legislative bodies shall comply with the requirements to provide the public with
24 access to the meetings as prescribed by Government Code section 54953(e)(2).

25 **NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED** by the **FIRST 5**
26 **RIVERSIDE COUNTY CHILDREN & FAMILIES COMMISSION FINANCE SUBCOMMITTEE**
27 in regular session assembled on November 30, 2022 does hereby resolve as follows:
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1 Section 1. Recitals. All the above recitals are true and correct and are incorporated into this
2 Resolution by this reference.

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4 Section 2. State or Local Officials Have Imposed or Recommended Measures to Promote Social
5 Distancing. The FIRST 5 RIVERSIDE COUNTY CHILDREN & FAMILIES COMMISSION'S
6 FINANCE SUBCOMMITTEE hereby proclaims that state officials have imposed or recommended
7 measures to promote social (physical) distancing based on the California Department of Industrial
8 Relations' issuance of regulations related to COVID-19 Prevention through Title 8 of the California Code
9 of Regulations, Section 3205(5)(D).

10 Section 3. Remote Teleconference Meetings. The FIRST 5 RIVERSIDE COUNTY
11 CHILDREN & FAMILIES COMMISSION and any of its legislative bodies are hereby authorized and
12 directed to take all actions necessary to carry out the intent and purpose of this Resolution including,
13 conducting open and public meetings in accordance with Government Code section 54953(e) and other
14 applicable provisions of the Brown Act.

15 Section 4. November 30, 2022. This Resolution shall take effect immediately upon its adoption
16 and shall be effective until the earlier of (i) December 30, 2022, or (ii) such time the FIRST 5 RIVERSIDE
17 COUNTY CHILDREN & FAMILIES COMMISSION adopts a subsequent resolution in accordance with
18 Government Code section 54953(e)(3) to extend the time during which its legislative bodies may continue
19 to teleconference without compliance with Section 54953(b)(3).

20 ADOPTED this 30th day of November 2022 by FIRST 5 RIVERSIDE COUNTY CHILDREN &
21 FAMILIES COMMISSION'S FINANCE SUBCOMMITTEE, by the following vote:

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23 YES:

24 NO:

25 ABSENT:

26 ABSTAIN:

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