

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF SUTTER, STATE OF CALIFORNIA**

A RESOLUTION OF THE SUTTER COUNTY)
BOARD OF SUPERVISORS REAUTHORIZING)
REMOTE TELECONFERENCE MEETINGS OF THE)
LEGISLATIVE BODIES OF SUTTER COUNTY)
PURSUANT TO BROWN ACT PROVISIONS AS)
A RESULT OF A STATE OF EMERGENCY)

RESOLUTION NO. 22-001

WHEREAS, the County of Sutter is committed to preserving and nurturing public access and participation in meetings of the Board of Supervisors and other committee meetings subject to the Ralph M. Brown Act (“Brown Act”); 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, 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 the “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, as of the date of this Resolution, neither the Governor nor the Legislature have exercised their respective powers pursuant to California Government Code section 8629 to lift the state of emergency either by proclamation or by concurrent resolution in the state Legislature; and

WHEREAS, the Board of Supervisors previously adopted a Resolution, Number 21-055 on September 28, 2021, finding that the requisite conditions exist for the legislative bodies of Sutter County to conduct teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board of Supervisors must reconsider the circumstances of the state of emergency that exists in the County, and the Board of Supervisors has done so; and

WHEREAS, emergency conditions persist in the County, specifically a state of emergency remains active with regard to a novel coronavirus (a disease now known as COVID-19); and

WHEREAS, the continued local rates of transmission of the virus and variants causing COVID-19 are such that meeting in person could present imminent risks to the health or safety of attendees of Sutter County governing Board and committee public meetings if remote teleconference meetings are not an option, when needed.

WHEREAS, as a consequence of the local emergency persisting, the Board of Supervisors does hereby find that if the legislative bodies of Sutter County conduct a teleconference meeting, the meeting shall be conducted without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, agendas shall specify whether a meeting will be conducted in person, teleconference, or both in person and teleconference. If a teleconference meeting is conducted, public access information shall be provided on the agenda.

NOW, THEREFORE, BE IT RESOLVED that the Sutter County Board of Supervisors

1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. A proclaimed state of emergency exists and as a result of the emergency, meeting in person could present imminent risks to the health or safety of attendees.
3. The staff and legislative bodies of Sutter County are hereby reauthorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting Sutter County governing Board and committee meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act when needed.
4. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of thirty (30) days from adoption of the Resolution or 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 the legislative bodies of the County of Sutter may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Supervisors of the County of Sutter, State of California, this 11th day of January 2022, by the following vote:

AYES: Supervisors Micheli, Flores, Bains, and Conant

NOES: None

ABSENT: Supervisor Ziegenmeyer



DAN FLORES, CHAIR
BOARD OF SUPERVISORS

ATTEST:
DONNA M. JOHNSTON, CLERK

By Stephan W. Rafner
Deputy

