**SACRAMENTO COUNTY DISABILITY ADVISORY COMMISSION**

**RESOLUTION NO.** \_\_\_\_\_\_\_\_\_\_

**RESOLUTION OF THE**

**SACRAMENTO COUNTY DISABILITY ADVISORY COMMISSION**

**AUTHORIZING REMOTE TELECONFERENCE MEETINGS**

**FOR THE PERIOD DECEMBER 6 2022 – JANUARY 3 2023**

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

 **WHEREAS**, all meetings of Sacramento County Disability Advisory Commission (DAC) as a legislative body are open and public, as required by the Ralph M. Brown Act (California Government Code § 54950 et seq); 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 March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in 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 AB 361 that allows a legislative body subject to the Brown Act to continue to meet without fully complying with the teleconferencing rules in the Brown Act provided the legislative body make certain findings; and

 **WHEREAS**, as amended by AB 361, 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**, as of the date of this Resolution, the Proclamation of a State of Emergency remains in effect as 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**, on September 28, 2021, the Sacramento County Public Health Officer Dr. Olivia Kasirye issued a Teleconference Recommendation which states that utilizing teleconference options for public meetings is an effective and recommended social distancing measure to facilitate

 participation in public affairs and encourage participants to protect themselves and other from COVID-19; and

 **WHEREAS**, DAC has an interest in encouraging public participation in open and public meetings while protecting the health, safety and welfare of those who participate.

 **WHEREAS**, the Sacramento County Board of Supervisors adopted resolutions making the necessary findings authorizing the Board to conduct meetings remotely through teleconferencing, and as required by Government Code section 54953(e)(3), has reconsidered the state of emergency and finds that emergency conditions continue to persist which require the reauthorization of remote teleconference meetings in order to protect the health, safety, and welfare of Board meeting participants.

 **NOW, THEREFORE, BE IT RESOLVED,** by the DAC as follows:

 1. **State or Local Officials Have Imposed or Recommended Measures to Promote Social Distancing.** DAC hereby finds and proclaims that state and local 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(5)(D) and Sacramento County Public Health Officer Dr. Olivia Kasirye’s Teleconference Recommendation issued September 28, 2021.

 2. **Remote Teleconference Meetings.**  DAC and its Subcommittees are hereby authorized to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act, and Staff are directed to take all actions necessary to carry out the intent and purpose of this Resolution.

 3. **Effective Date.** This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) July 26, 2022, or (ii) such time the Commission adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which it and its legislative bodies may continue to teleconference without compliance with Section 54953(b)(3).

 On a motion by \_\_\_\_\_\_\_\_\_\_\_\_\_\_, seconded by \_\_\_\_\_\_\_\_\_\_\_\_\_\_, the foregoing Resolution was passed and adopted by the Sacramento County Disability Advisory Commission, State of California this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_ 2022, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

(PER POLITICAL REFORM ACT (§ 18702.5.))

 Eugene Lozano Jr., Chair

 Disability Advisory Commission

(SEAL)

ATTEST:

 Cori Stillson

 Sacramento County ADA Coordinator

2222059