

RESOLUTION 05-16-2022-A

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONORA PROCLAIMING AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE CITY COUNCIL AND ITS COMMITTEES AND COMMISSIONS FOR 30 DAYS PURSUANT TO GOVERNMENT CODE SECTION 62953(E) BROWN ACT PROVISIONS

WHEREAS, the City of Sonora is committed to preserving and nurturing public access and participation in meetings of the City Council and its committees and commissions; and

WHEREAS, all meetings of the City Council and its committees and commissions 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 watch the City Council and its committees and commissions conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meeting by members of the legislative body, without compliance with the requirements of Government Code section 54953 (b)(3), subject to 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 of extreme peril to the safety of persons and property within the state cause by conditions as described in Government code 8558; and

WHEREAS, a proclamation is made when there is an actual incident, there of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the City's boundaries caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; 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 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, on June 11, 2021, Governor Newsom also issued Executive Order N-08-21, which set expiration dates for certain paragraphs of the State of Emergency Proclamation dated March 4, 2020, and other Executive Orders but did not rescind the proclaimed state of emergency; 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, the City Council finds that state or local officials have imposed or recommended measures to promote social 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

WHEREAS, City Council meetings shall be conducted by a hybrid model of both in-person and teleconference and committee and commission meetings may participate by teleconferencing, and members of the public may also participate virtually in committee and commission meetings; and

WHEREAS, on occasion a Councilmember may need to appear and participate in a City Council meeting remotely in order to comply with Public Health guidance, the City desires to allow such participation using the requirements of Government Code Section 52953(e);

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SONORA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. The City Council acknowledges the Governor has declared a state of emergency related to the novel coronavirus and 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(5)(D).

Section 3. Remote Teleconference Meetings. The City Administrator is hereby authorized and directed to take all actions necessary to conduct 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.

Section 4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of June 16, 2022, or such time the City Council adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the City Council may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED as a Resolution of the City Council of the City of Sonora, California, at a regular meeting of said City Council held on May 16, 2022, by the following votes:

AYES: _____

NOES: _____

ABSENT: _____

Signed and dated:

Matt Hawkins

Mayor of the City of Sonora

ATTEST: _____

Deputy City Clerk