

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM: 3.41  
(ID # 19429)**

**MEETING DATE:**  
Tuesday, June 21, 2022

**FROM :** CLERK OF THE BOARD:

**SUBJECT:** CLERK OF THE BOARD: Adoption of Resolution No. 2022-147 Authorizing Remote Teleconference Meetings of the Legislative Bodies of Board of Supervisors for the Period of 30 days, July 20, 2022, Pursuant to the Ralph M. Brown Act. [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Adoption of Resolution No. 2022-147 Authorizing Remote Teleconference Meetings of the Legislative Bodies of Board of Supervisors for the Period of 30 days, July 20, 2022, Pursuant to the Ralph M. Brown Act.

**ACTION:Policy**

  
Kecia Harper, Clerk of the Board 6/20/2022

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Washington seconded by Supervisor Spiegel and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: Jeffries  
Date: June 21, 2022  
xc: COB

Kecia R. Harper  
Clerk of the Board

By:   
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

**BACKGROUND:**

**Summary**

On September 16, 2021, Governor Gavin Newsom signed Assembly Bill (AB) 361 into law, amending the Ralph M. Brown Act and allowing legislative bodies to have flexibility to meet virtually during the present public health emergency. Specifically, AB 361 suspended the requirements located in Government Code section 54953(b)(3) with respect to certain teleconferencing requirements.

By adopting Resolution 2022-147, the Board of Supervisors would be permitted, under the provisions of AB 361, to meet virtually for a maximum period of thirty (30) days. After thirty (30) days, the Board would need to renew its resolution consistent with the requirements of AB 361, if the Board desires to continue meeting virtually under the modified Brown Act requirements.

Further, by adopting this Resolution, individual members of the Board of Supervisors may teleconference into meetings during the time period specified. This Resolution does not change the fact that meetings must still be noticed with a compliant agenda in advance as required by the Brown Act. Additionally, members of the public will continue to be provided an opportunity to provide comment in person and virtually.

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3 **RESOLUTION NO. 2022-147**

4 **A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE**  
5 **AUTHORIZING REMOTE TELECONFERENCE MEETINGS FOR THE BOARD OF**  
6 **SUPERVISORS FOR THE PERIOD JUNE 21, 2022 TO JULY 21, 2022**  
7 **PURSUANT TO THE RALPH M. BROWN ACT**

8  
9 **WHEREAS**, all meetings of the Board of Supervisors and its legislative bodies are open and public,  
10 as required by the Ralph M. Brown Act (Cal. Gov. Code §§ 54950 – 54963), so that any member of the  
11 public may attend, participate, and view the legislative bodies conduct their business; and

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

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

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

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

27 **WHEREAS**, on June 11, 2021, Governor Newsom issued Executive Order N-07-21, which  
28 formally rescinded the Stay-at-Home Order (Executive Order N-33-20), as well as the framework for a

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FORM APPROVED COUNTY COUNSEL  
BY Sarah K. Moore 6/20/22  
DATE

1 gradual, risk-based reopening of the economy (Executive Order N-60-20, issued on May 4, 2020) but did  
2 not rescind the proclaimed state of emergency; and,

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

6 **WHEREAS**, on January 5, 2022, Governor Newsom issued Executive Order No. N-1-22 extending  
7 the sunset provisions for the virtual teleconferencing provisions of AB 361 for Education Code section  
8 89305.6(g) and Government Code section 11133(g); and,

9 **WHEREAS**, on February 25, 2022, Governor Newsom issued Executive Order N-04-22 lifting all  
10 but 5 percent of the COVID-19 related executive order provisions while maintaining the State of Emergency  
11 Proclamation dated March 4, 2020 and maintaining California's nation-leading testing and vaccination  
12 programs and protecting hospital and health facility capacity as part of the state's SMARTER Plan; and,

13 **WHEREAS**, on June 17, 2022, Governor Newsom issued Executive Order No-11-22 terminating  
14 certain Cal/OSHA's COVID-19 Emergency Temporary Standards, not including Title 8 of the California  
15 Code of Regulations, Section 3205(c)(5)(D); and,

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

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

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

28 **WHEREAS**, as a consequence, the Board of Supervisors does hereby find that it and its legislative

1 bodies shall conduct their meetings by teleconferencing without compliance with Government Code section  
2 54953(b)(3), pursuant to Section 54953(e), and that such legislative bodies shall comply with the  
3 requirements to provide the public with access to the meetings as prescribed by Government Code section  
4 54953(e)(2).

5 **NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED** by the Board of  
6 Supervisors in regular session assembled on \_\_\_\_\_, 2022 does hereby resolve as follows:

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

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

14 Section 3. Remote Teleconference Meetings. The Board of Supervisors and any of its  
15 legislative bodies are hereby authorized and directed to take all actions necessary to carry out the intent and  
16 purpose of this Resolution including, conducting open and public meetings in accordance with Government  
17 Code section 54953(e) and other applicable provisions of the 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) July 21, 2022, or (ii) such time the Board of Supervisors adopts a  
20 subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during  
21 which its legislative bodies may continue to teleconference without compliance with Section 54953(b)(3).

22 ADOPTED this 21 day of June, 2022 by the Board of Supervisors, by the following  
23 vote:

24

25 YES:

26 NO:

27 ABSENT:

28 ABSTAIN:

2 **RESOLUTION 2022-147**

3 **A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF**  
4 **RIVERSIDE AUTHORIZING REMOTE TELECONFERENCE MEETINGS FOR THE**  
5 **BOARD OF SUPERVISORS FOR THE PERIOD JUNE 21, 2022 TO JULY 21, 2022**  
6 **PURSUANT TO THE RALPH M. BROWN ACT**

7 ADOPTED by Riverside County Board of Supervisors on June 21, 2022.

8 **ROLL CALL:**

9 **Ayes:** Jeffries, Spiegel, Washington, Perez, and Hewitt  
10 **Nays:** None  
11 **Absent:** None

12 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of  
13 Supervisors on the date therein set forth.

14 **KECIA R. HARPER, Clerk of said Board**

15 By:   
16 Deputy

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FORM APPROVED COUNTY COUNSEL  
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SARAH K. MOORE

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22 ADOPTED this 21 day of June, 2022 by the Board of Supervisors, by the following  
23 vote:

24  
25 YES:

26 NO:

27 ABSENT:

28 ABSTAIN:

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8 **ROLL CALL:**

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10 **Nays: None**  
11 **Absent: None**

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14 **KECIA R. HARPER, Clerk of said Board**

15 By: \_\_\_\_\_  
16 Deputy

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