

1 **RESOLUTION NO. 2022-001**

2 **A RESOLUTION OF THE COUNTY OF RIVERSIDE DEFERRED COMPENSATION**

3 **ADVISORY COMMITTEE**

4 **AUTHORIZING REMOTE TELECONFERENCE MEETINGS**

5 **OF THE LEGISLATIVE BODIES OF THE COUNTY OF RIVERSIDE DEFERRED**

6 **COMPENSATION ADVISORY COMMITTEE**

7 **FOR THE PERIOD OF SEPTEMBER 27, 2022 TO OCTOBER 26, 2022**

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

9
10 **WHEREAS**, all meetings of the County of Riverside Deferred Compensation Advisory Committee
11 and its legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code §§
12 54950 – 54963), so that any member of the public may attend, participate, and view the legislative bodies
13 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2 formally rescinded the Stay-at-Home Order (Executive Order N-33-20), as well as the framework for a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 County of Riverside Deferred Compensation Advisory Committee finds that state
17 or local officials have imposed or recommended measures to promote social distancing, based on the
18 California Department of Industrial Relations' issuance of regulations related to COVID-19 Prevention
19 through Title 8 of the California Code of Regulations, Section 3205(5)(D); and,

20 **WHEREAS**, as a consequence, the County of Riverside Deferred Compensation Advisory
21 Committee does hereby find that it and its legislative bodies shall conduct their meetings by
22 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 County of
26 Riverside Deferred Compensation Advisory Committee in regular session assembled on September 27,
27 2022 as follows:

28 Section 1. Recitals. All of the above recitals are true and correct and are incorporated into this

1 Resolution by this reference.

2 Section 2. State or Local Officials Have Imposed or Recommended Measures to Promote Social
3 Distancing. The County of Riverside Deferred Compensation Advisory Committee hereby proclaims that
4 state officials have imposed or recommended measures to promote social (physical) distancing based on
5 the California Department of Industrial Relations’ issuance of regulations related to COVID-19 Prevention
6 through Title 8 of the California Code of Regulations, Section 3205(5)(D).

7 Section 3. Remote Teleconference Meetings. The County of Riverside Deferred Compensation
8 Advisory Committee and any of its legislative bodies are hereby authorized and directed to take all actions
9 necessary to carry out the intent and purpose of this Resolution including, conducting open and public
10 meetings in accordance with Government Code section 54953(e) and other applicable provisions of the
11 Brown Act.

12 Section 4. Effective Date. This Resolution shall take effect immediately upon its adoption and
13 shall be effective until the earlier of (i) October 26, 2022, or (ii) such time as the County of Riverside
14 Deferred Compensation Advisory Committee adopts a subsequent resolution in accordance with
15 Government Code section 54953(e)(3) to extend the time during which its legislative bodies may continue
16 to teleconference without compliance with Section 54953(b)(3).

17 ADOPTED this 27th day of September, 2022 by the County of Riverside Deferred Compensation
18 Advisory Committee, by the following vote:

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20 YES:

21 NO:

22 ABSENT:

23 ABSTAIN:
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