

**RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF IMPERIAL
AUTHORIZING REMOTE MEETINGS IN ACCORDANCE WITH THE PROVISIONS
OF STATE ASSEMBLY BILL 361.**

RESOLUTION NO. _____

WHEREAS, the County of Imperial is committed to preserving and nurturing public access and participation in meetings of the Planning Commission and other public meetings subject to the Ralph M. Brown Act (“Brown Act”); and

WHEREAS, with the adoption of State Assembly Bill 361 (“AB 361”), section 54963(e) of the California Government Code was amended to make provisions for remote teleconferencing participation in meetings by members of a local legislative body, without compliance with the requirements of 54953(b)(3) of the California Government Code, 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 section 8625 of the California Government Code, 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 section 8558 of the California Government Code; and

WHEREAS, on March 4, 2020, the Governor proclaimed pursuant to his authority under 8625 of the California Government Code, that a state of emergency exists with regard to the 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 section 8629 of the California Government Code to lift the state of emergency, either by proclamation or by concurrent resolution in the State Legislature; and

WHEREAS, the Local Health Officer for the County of Imperial has recommended that the local legislative bodies that are subject to the Brown Act continue to meet remotely when possible, and that social distancing continues to provide a means by which to reduce the transmission of COVID-19; and

WHEREAS, the Planning Commission believes that it is in the best interest of the public to continue holding remote meetings during the existing state of emergency in accordance with the requirements of AB 361.

NOW, THEREFORE, the Planning Commission of the County of Imperial resolves as follows:

- (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 as a result of the COVID-19 pandemic.
- (3) The Local Health Officer recommends that all local legislative bodies local legislative bodies that are subject to the Brown Act continue to meet remotely when possible, and that social distancing continues to provide a means by which to reduce the transmission of COVID-19
- (4) The staff of Planning Commission are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution, including implementing social distancing measures at meetings, and conducting meetings in accordance with section 54953(e) of the California Government Code, and other applicable provisions of the Brown Act.
- (5) 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 Planning Commission takes action to extend the time during which it may continue to meet remotely without compliance with section 54953(b)(3) of the California Government Code.
- (6)

PASSED AND ADOPTED by the Planning Commission, County of Imperial, State of California, this 24 day of August 2022, by the following roll call vote:

Rudy Schaffner, Chairperson

ATTEST:

Jim Minnick, Director of Planning & Development Services
Secretary to the Planning Commission



COUNTY OF IMPERIAL

PUBLIC HEALTH DEPARTMENT

JANETTE ANGULO, M.P.A.

Director

STEPHEN W. MUNDAY, M.D., M.P.H., M.S.

Health Officer

Recommendation Regarding Continued Remote Public Meetings of Governmental Entities in Imperial County.

Issued: September 29, 2021

In light of the continued state of emergency related to COVID-19, the Imperial County Health Officer continues to recommend that public bodies meet remotely to the extent possible, specifically including use of newly enacted Assembly Bill 361 to maintain remote meetings under the Ralph M. Brown Act and similar laws.

Among other reasons, this recommendation is made due to the continued threat of COVID-19 to the community, the unique characteristics of public governmental meetings (such as the increased mixing associated with bringing together people from across the community, the need to enable those who are immunocompromised or unvaccinated to be able to safely continue to fully participate in public governmental meetings, and the challenges with fully ascertaining and ensuring compliance with vaccination and other safety recommendations at such meetings), and the continued increased safety protection that social distancing provides as one means by which to reduce the risk of COVID-19 transmission.

The Imperial County Health Officer will continue to evaluate this recommendation on an ongoing basis, and will communicate when there is no longer such a recommendation with respect to meetings for public bodies.

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Stephen Munday, M.D., MPH
Health Officer