

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT**

Resolution Number 21-xxx

**RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS
FOR THE PERIOD DECEMBER 2, 2021, THROUGH JANUARY 1, 2022
PURSUANT TO THE RALPH M. BROWN ACT**

WHEREAS, all meetings of the Humboldt County Planning Commission 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 view the legislative bodies conduct their business; and

WHEREAS, the Brown Act, 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, 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WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-07-21, which formally rescinded the Stay-at-Home Order (Executive Order N-33-20), as well as the framework for a gradual, risk-based reopening of the economy (Executive Order N-60-20, issued on May 4, 2020) but did not rescind the proclaimed state of emergency; 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 Humboldt County Public Health Officer, Dr. Ian Hoffman, issued an Order on September 29, 2021, that specifically recommends/imposes 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 October 7, 2021, the Humboldt County Planning Commission previously adopted Resolution No. 2021-157, finding that the requisite conditions existed for the Humboldt County Planning Commission to conduct remote teleconference meetings without compliance with Government Code section 54953(b)(3), as authorized by Section 54953(e); and,

WHEREAS, as a condition of extending the use of the teleconferencing provisions for another 30 days beyond the Resolution No. 2021-172 adopted on November 4, 2021, pursuant to Government Code Section 54953(e), the Humboldt County Planning Commission must reconsider the circumstances of the state of emergency that exists and find that either the state of emergency continues to directly impact the ability

of the members to meet safely in person or state or local officials continue to impose or recommend measures to promote social distancing; and,

WHEREAS, the Humboldt County Planning Commission has reconsidered the circumstances of the state of emergency and finds that state or local officials continue to impose or recommend measures to promote social distancing, based on the Humboldt County Public Health Officer's Order dated September 29, 2021, continuing to remain in effect; and,

WHEREAS, as a consequence, the Humboldt County Planning Commission does hereby find that it may continue to conduct their meetings by teleconferencing without compliance with Government Code section 54953 (b)(3), pursuant to Section 54953(e), and the Commission shall comply with the requirements to provide the public with access to the meetings as prescribed by Government Code section 54953(e)(2).

NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED by the Humboldt County Planning Commission, in regular session assembled on December 02, 2021, does hereby resolve as follows:

- Section 1. Recitals. All of the above recitals are true and correct and are incorporated into this Resolution by this reference.
- Section 2. Reconsideration of the State of Emergency. The Humboldt County Planning Commission has reconsidered the circumstances of the state of emergency that continues to exist and was proclaimed by the Governor through a State of Emergency Proclamation on March 4, 2020.
- Section 3. State or Local Officials Continue to Impose or Recommend Measures to Promote Social Distancing. The Humboldt County Planning Commission hereby proclaims that state officials continue to impose or recommend measures to promote social (physical) distancing based on the continuance of the Humboldt County Public Health Officer's Order dated September 29, 2021.
- Section 4. Remote Teleconference Meetings. The Humboldt County Planning Commission is hereby authorized and directed to take all actions necessary to carry out 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 5. Effective Date. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) [ENTER DATE 30 DAYS FROM ADOPTION OF RESOLUTION], or (ii) such time the Humboldt County Planning Commission adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which its legislative bodies may continue to teleconference without compliance with Section 54953(b)(3).

Adopted this 02 day of December 2021, by the Humboldt County Planning Commission, by the following vote:

AYES: COMMISSIONERS:
NOES: COMMISSIONERS:
ABSENT: COMMISSIONERS:
ABSTAIN: COMMISSIONERS:
DECISION:

I, John Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above-entitled matter by said Commission at a meeting held on the date noted above.

John Ford, Director
Planning and Building Department