

**RESOLUTION OF THE ZONING ADMINISTRATOR
OF THE COUNTY OF HUMBOLDT**

Resolution Number 22-

RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS FOR THE PERIOD September 11, 2022, THROUGH October 11, 2022 PURSUANT TO THE RALPH M. BROWN ACT.

WHEREAS, all meetings of the Humboldt County Zoning Administrator Hearings 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WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-07-21, which formally rescinded the Stay-at-Home Order (Executive Order N-33-20), as well as the framework for a gradual, risk-based reopening of the economy (Executive Order N-60-20, issued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 of the state Legislature; and

WHEREAS, Humboldt County Public Health Officer, Dr. Ian Hoffman, issued a Recommendation Regarding Physical Distancing Including Meetings of Legislative Bodies (the Recommendation) on September 29, 2021. The Recommendation specifically advises physical (social) distancing as one of the measures to decrease the spread of COVID-19 and recommends that "physical distancing strategies be practiced in Humboldt County to the extent possible at gatherings and events, which includes meetings of legislative bodies and local agencies." The Recommendation further states, "Virtual meetings of legislative bodies allow for physical distancing recommendations and the virtual participation of agency staff, presenters, and community members in safer environments, with less risk of exposure to COVID-19"; and

WHEREAS, the Humboldt County Zoning Administrator finds that state or local officials have imposed or recommended measures to promote social distancing, based on the Humboldt County Public Health Officer's Order dated September 29, 2021; and

WHEREAS, as a consequence, the Humboldt County Zoning Administrator does hereby find that it shall conduct its meetings by teleconferencing without compliance with Government Code section 54953 (b)(3), pursuant to Section 54953(e), and that such legislative bodies 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 Zoning Administrator, in regular session on **September 1, 2022**, 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. State or Local Officials Have Imposed or Recommended Measures to Promote Social Distancing. The Humboldt County Zoning Administrator hereby proclaims that state officials have imposed or recommended measures to promote social (physical) distancing based on the Humboldt County Public Health Officer's Order dated September 29, 2021.
- Section 3. Remote Teleconference Meetings. The Humboldt County Zoning Administrator 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 4. Effective Date. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) October 11, 2022, or (ii) such time the Humboldt County Zoning Administrator 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 1st day of September 2022, by the Humboldt County Zoning Administrator.

I, John H. Ford, Zoning Administrator 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 at a meeting held on the date noted above.

John H. Ford, Zoning Administrator,
Planning and Building Department