

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING REMOTE TELECONFERENCE MEETINGS
PURSUANT TO ASSEMBLY BILL 361**

WHEREAS, all meetings of the Stanislaus County Agricultural Advisory Board are held pursuant to the Ralph M. Brown Act, ensuring that any member of the public may participate in local government meetings; and

WHEREAS, on March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19 and ordered all residents to obey orders and guidance issued by state and local health officials, including but not limited to, the imposition of social distancing measures to control the spread of COVID-19; and

WHEREAS, on March 17, 2020, the County of Stanislaus adopted a resolution ratifying the declaration of local health emergency and issued a proclamation of a local emergency related to COVID-19; and

WHEREAS, on March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, which, effective September 30, 2021, ends the provisions of Executive Order N-29-20 that allows local legislative bodies to conduct meetings telephonically or by other means; and

WHEREAS, on September 16, 2021, the Governor signed AB 361 (2021) into law, which allows for local legislative bodies to continue to conduct meetings via teleconferencing under specified conditions and includes a requirement that the legislative bodies make specific findings; and

WHEREAS, the Governor has declared a State of Emergency pursuant to Government Code section 8625 as has the County of Stanislaus; and

WHEREAS, since issuing Executive Order N-08-21, the highly contagious Delta variant of COVID-19 has emerged, causing an increase in COVID-19 cases throughout the State and Stanislaus County; and

WHEREAS, the California Department of Public Health currently recommends that all individuals, regardless of vaccination status, wear a mask while indoors in public spaces; and

WHEREAS, on September 22, 2021, the Stanislaus County Health Officer issued an amended order requiring all individuals, regardless of vaccination status, to wear a mask while indoors in public spaces and to continue to follow the Centers for Disease Control's ("CDC") guidance for vaccinated and unvaccinated people; and

WHEREAS, the Stanislaus County Health Officer has issued a letter dated September 22, 2021, in which she, "recommend[s] that physical/social distancing measures be practiced throughout our Stanislaus County communities to minimize the spread of COVID-19, including implementation of the newly enacted AB 361 to maintain social distancing by legislative bodies of our local agencies"; and

WHEREAS, the CDC continues to recommend physical distancing of at least 6 feet from others outside of the household; and

WHEREAS, California Code of Regulations Title 8, section 3205 "COVID-19 Prevention," subparagraph (c)(5) states: "Training and instruction. The employer shall provide effective training and instruction to employees that includes the following: . . . (D) The fact that particles containing the virus can travel more than six feet, especially indoors, so physical distancing, face coverings, increased ventilation indoors, and respiratory protection decrease the spread of COVID-19, but are most effective when used in combination"; and

WHEREAS, because state or local health officials have imposed or are recommending measures to promote social distancing, the Stanislaus County Agricultural Advisory Board desires to continue holding meetings via teleconferencing; and

WHEREAS, the Stanislaus County Agricultural Advisory Board shall ensure that its meetings comply with the provisions required by AB 361 (2021) for holding teleconferenced meetings.

NOW, THEREFORE, the Stanislaus County Agricultural Advisory Board does resolve as follows:

1. The above recitals are true and correct, and incorporated into this Resolution.

2. In compliance with AB 361 (2021), and in order to continue to conduct teleconference meetings without complying with the requirements of Government Code section 54953(b)(3) of the Brown Act, the Stanislaus County Agricultural Advisory Board makes the following findings:

- a) The Stanislaus County Agricultural Advisory Board has considered the circumstances of the state of emergency; and
- b) The state of emergency, as declared by the Governor and County of Stanislaus, continues to exist; and
- c) The state of emergency due to the presence of COVID-19 in the community continues to directly impact the ability of the members of the Stanislaus County Agricultural Advisory Board to meet safely in person; and

d) State and local officials continue to impose or recommend measures to promote social distancing.

3. The Stanislaus County Agricultural Advisory Board may continue to meet remotely in compliance with AB 361, in order to better ensure the health and safety of the public.

4. The Stanislaus County Agricultural Advisory Board will revisit the need to conduct meetings remotely no later than 30 days after teleconferencing for the first time, and every 30 days thereafter.

5. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by _____ of the County of Stanislaus, State of California, this _____ day of _____ 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Chair name, title)

ATTEST:

BY: _____
(Secretary name, title)