SACRAMENTO AREA COUNCIL OF GOVERNMENTS
BOARD OF DIRECTORS

RESOLUTION NO. 109 – 2022

DECLARING ITS INTENT TO CONTINUE REMOTE TELECONFERENCE ONLY MEETINGS DUE TO THE GOVERNOR'S PROCLAMATION OF STATE EMERGENCY AND STATE REGULATIONS RELATED TO PHYSICAL DISTANCING DUE TO THE THREAT OF COVID-19

WHEREAS, the Board of Directors of the Sacramento Area Council of Governments ("SACOG") is committed to preserving public access and participation in meetings of SACOG; and

WHEREAS, all meetings of SACOG are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963, the "Brown Act"), so that any member of the public may attend, participate, and observe SACOG conduct its business; and

WHEREAS, the Brown Act, Government Code section 54953(e), provides 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

WHEREAS, a required condition 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; and

WHEREAS, such conditions now exist in the State, specifically, the Governor of the State of California proclaimed a state of emergency on March 4, 2020, related to the threat of COVID-19, which threat remains; and

WHEREAS, California Department of Public Health and the Federal Centers for Disease Control and Prevention caution that the Delta variant of COVID- 19, currently the dominant strain of COVID-19 in the country, is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations; and

WHEREAS, on September 28, 2021, the County of Sacramento Public Health Officer recommended social distancing measures and that local legislative bodies in the County of Sacramento use certain available teleconferencing options in order to help minimize the spread and transmission of COVID-19; and

WHEREAS, the California Division of Occupational Safety and Health ("Cal/OSHA") regulations at Title 8 Section 3205 recommends physical distancing in the workplace as precautions against the spread of COVID-19 and imposes certain restrictions and requirements due to a "close contact" which occurs when individuals are within six feet of another in certain circumstances; and

WHEREAS, to allow for physical distancing and remote meeting attendance in accordance with recommended measures from Cal/OSHA and the County of Sacramento Public Health Officer, SACOG does hereby find that SACOG shall conduct its meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that SACOG shall comply with the requirements to provide the public with access to the meetings electronically as prescribed in paragraph (2) of subdivision (e) of section 54953.

NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED by the Sacramento Area Council of Governments:

1. The foregoing recitals are true and correct.

2. SACOG hereby recognizes the Governor's proclaimed state of emergency remains in effect and continues to impact the ability of SACOG and the public to meet safely in person. SACOG further recognizes the recommendation of State and local officials promoting social distancing.

3. SACOG shall conduct public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act for remote only teleconference meetings.

   PASSED AND ADOPTED this 10th day of November, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____   _____
Rick Jennings II   James Corless
Chair   Executive Director