

**RESOLUTION OF THE COUNTY OF SAN DIEGO INDEPENDENT
REDISTRICTING COMMISSION AUTHORIZING CONTINUANCE OF
TELECONFERENCED PUBLIC MEETINGS PURSUANT TO
GOVERNMENT CODE § 54953**

WHEREAS, international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named "SARS-CoV-2," and the disease it causes has been named "coronavirus disease 2019," abbreviated COVID-19, ("COVID-19"); and

WHEREAS, on January 30, 2020, the World Health Organization ("WHO") declared a Public Health Emergency of International Concern as a result of the COVID-19 virus. On January 31, 2020, the United States Secretary of Health and Human Services also declared a Public Health Emergency of the COVID-19 virus; and

WHEREAS, on February 14, 2020, the San Diego County Health Officer declared a Local Health Emergency as a result of the COVID-19 virus, which was subsequently ratified by the Board of Supervisors on February 19, 2020; and

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency ("State of Emergency") pursuant to section 8625 of the California Emergency Services Act, in response to the COVID-19 pandemic; and,

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting law, Government Code § 54950 et seq. (the "Brown Act"), provided certain requirements were met and followed; and,

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 that clarified the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021; and,

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 which provides that a legislative body subject to the Brown Act may use revised teleconference rules provided under section 53593(e) if the legislative body makes certain findings and those findings are reconsidered every thirty (30) days, as applicable; and,

WHEREAS, the proclaimed State of Emergency remains in effect; and,

WHEREAS, the California Occupational Safety and Health Standards Board adopted California Code of Regulations, Title 8, Section 3205 which states, "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, on or about September 23, 2021, Dr. Wilma Wooten, the County of San

Diego's Public Health Officer issued a letter recommending the utilization of teleconferencing options for public meetings as an effective and recommended social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and others from the COVID-19 virus (the "Teleconferencing Recommendation"); and

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, this Commission deems it necessary to act for purposes of utilizing the provisions of AB 361 related to teleconferencing;

NOW, THEREFORE, BE IT RESOLVED, by the County of San Diego Independent Redistricting Commission as follows:

1. The recitals set forth above are true and correct and form the basis for the finding of this Resolution.
2. On October 7, 2021, October 28, 2021, and November 10, 2021, the Commission found that there is an existing proclaimed State of Emergency and state and local officials have imposed or recommended measures to promote social distancing, including but not limited to the Teleconferencing Recommendation, and as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
3. This Commission has reconsidered those findings and the circumstances of the State of Emergency and state or local officials continue to impose or recommend measures to promote social distancing.
4. In order to satisfy the requirements of Section 54953(e)(3) of the Brown Act, which allows local legislative bodies to continue utilizing simplified teleconferencing options under the Brown Act if certain findings are made no later than thirty (30) days after such simplified teleconferencing options are first used, staff is directed to return no later than thirty (30) days after the adoption of this Resolution with an item for this Commission's reconsideration of these findings.
5. Staff is directed to take any other necessary or appropriate actions to implement the intent and purposes of this Resolution.

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6. This finding is intended to apply to any subcommittees that the Commission may create.
7. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the County of San Diego Independent Redistricting Commission at a duly noticed meeting held on December 2, 2021, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

David Bame, Chair
County of San Diego
Independent Redistricting Commission