

**BEFORE THE BOARD OF SUPERVISORS OF THE
COUNTY OF YUBA, STATE OF CALIFORNIA**

**RESOLUTION OF THE BOARD OF SUPERVISORS)
OF THE COUNTY OF YUBA AUTHORIZING)
REMOTE TELECONFERENCE MEETINGS OF)
THE LEGISLATIVE BODIES OF YUBA COUNTY)
PURSUANT TO GOVERNMENT CODE §54953(E))**

RESOLUTION NO. 2023-1

WHEREAS, the County of Yuba is committed to preserving and nurturing public access and participation in meetings of the Board of Supervisors and other committee meetings subject to the Ralph M. Brown Act (“Brown Act”); 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

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, on March 4, 2020, the Governor proclaimed pursuant to his authority under the California Emergency Services Act, California Government Code section 8625, that a state of emergency exists throughout the State of California; and

WHEREAS, on June 4, 2021, the Governor clarified that the “reopening” of California on June 15, 2021 did not include any change to the proclaimed state of emergency or the powers exercised thereunder; and

WHEREAS, as of the date of this Resolution, neither the Governor nor the Legislature have exercised their respective powers pursuant to California Government Code section 8629 to lift the state of emergency either by proclamation or by concurrent resolution in the state Legislature; and

WHEREAS, meeting in person could present imminent risks to the health or safety of attendees of Yuba County governing Board and committee public meetings if teleconference options are not included as an option for public participation; and

WHEREAS, on December 13, 2022 the Board of Supervisors adopted Resolution 2022-247, finding that the requisite conditions existed for staff and legislative bodies of Yuba County 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 2022-247 adopted on December 13, 2022 pursuant to Government Code section 54953(e), the Board of Supervisors must reconsider the circumstances of the state of emergency that exists and find that as a result of the emergency, meeting in person could present imminent risks to the health or safety of attendees; and

WHEREAS, in light of the foregoing, the Board desires to continue to have the flexibility to meet via teleconference and the Board finds that its staff and its legislative bodies shall be permitted to conduct their meetings by teleconferencing without compliance with the Government Code section 54953(b)(3) pursuant to section 54953(e), and such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed by section 54953(e)(2).

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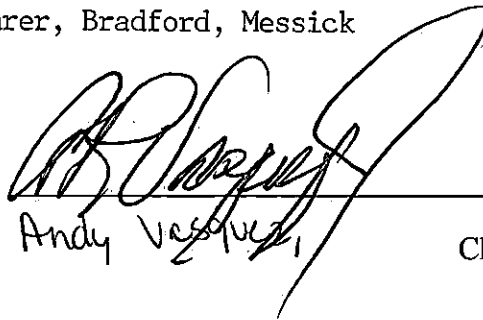
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NOW, THEREFORE, BE IT RESOLVED that the Yuba County Board of Supervisors

1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. A proclaimed state of emergency exists and as a result of the emergency, meeting in person could present imminent risks to the health or safety of attendees.
3. The staff and legislative bodies of Yuba County are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting Yuba County governing Board and committee meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.
4. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of thirty (30) days from adoption of the Resolution or such time the Board of Supervisors adopts a subsequent Resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the County of Yuba may continue to teleconference without compliance with of Government Code section 54953(b)(3).

PASSED AND ADOPTED by the Board of Supervisors of the County of Yuba, State of California, this 10th day of January 2023, by the following vote:

AYES: Supervisors Vasquez, Blaser, Fuhrer, Bradford, Messick
NOES: None
ABSENT: None
ABSTAIN: None


Andy Vasquez, Chairman

ATTEST: MARY PASILLAS
CLERK OF THE BOARD OF SUPERVISORS


Angela Dayberry, Board Clerk

Michael J. Ciccozzi
YUBA COUNTY COUNSEL
APPROVED AS TO FORM:

