

RESOLUTION NO. 2022-__ (NCHC)

A RESOLUTION OF THE HOUSING COMMISSION MAKING FINDINGS IN ACCORDANCE WITH AB 361 AND GOVERNMENT CODE SECTION 54953, AUTHORIZING REMOTE TELECONFERENCE MEETINGS

WHEREAS, all meetings of the Housing Commission (the “Commission”) 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 watch the Commission’s legislative body conduct its business; and

WHEREAS, Governor Newsom signed Assembly Bill (“AB”) 361, amending the Brown Act, including Government Code section 54953, subd. (e), that makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953, subd.(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition of AB 361 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, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic; and,

WHEREAS, the proclaimed state of emergency remains in effect; and,

WHEREAS, on September 27, 2021, the Napa County Executive Officer and Public Health Officer jointly recommended measures to promote social distancing, including that all boards and commissions may continue meeting remotely, in whole or in part, in order to help minimize the spread and transmission of COVID-19; and

WHEREAS, on November 17, 2021, the Housing Commission first adopted the findings required by Government Code section 54953 and authorizing the continuation of conducting Housing Commission meetings by teleconference and directing staff to continue to monitor the health and safety conditions relating to COVID-19. The findings have been renewed for several months since; and

WHEREAS, on December 17, 2021, the Napa County Board of Supervisors adopted a resolution that adopted findings required by Government Code section 54953, authorized all Napa County boards and commissions to conduct meetings by teleconference in compliance with Government Code section 54953, subd. (e), and directed Napa County staff to continue to monitor the health and safety conditions relating to COVID-19; and

WHEREAS, the Commission is committed to preserving and nurturing public access and participation in meetings of the Commission and to protecting the health, welfare, and safety of the participants; and

WHEREAS, the Commission does hereby find that it has considered the circumstances of the state of emergency due to COVID-19 and that state or local officials continue to recommend measures to promote social distancing and, therefore, intends that Commission continue meeting via teleconference and to invoke the provisions of AB 361 related to teleconferencing as provided in Government Code section 54953, subd. (e).

NOW, THEREFORE, THE NAPA COUNTY HOUSING COMMISSION DO HEREBY RESOLVE AS FOLLOWS:

1. Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. The Commission finds that in consideration of the recitals set forth above, the continued state of emergency, and recommended measures by state or local officials to promote social distancing, that meeting in person would present imminent risks to the health or safety of attendees and that all meetings of the Commission continue to meet via teleconference.
3. Staff of the Commission are 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, subd. (e), and other applicable provisions of the Brown Act.
4. Staff is further directed to continue to monitor the health and safety conditions related to COVID-19, the status of the Governor's state of emergency, the state regulations related to social distancing, and the local orders related to health and safety, and present to the Board for consideration at each regularly scheduled meeting the related information and recommendations for remote only meetings so long as the state of emergency continues to directly impact the ability of the members to meet safely in person, or state or local officials continue to impose or recommend measures to promote social distancing, pursuant to Government Code section 54953, subd. (e)(3).

[REMAINDER OF THIS PAGE IS LEFT BLANK INTENTIONALLY]

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Napa County Housing Commission at its regular meeting held on the ___ day of September 2022, by the following vote:

AYES: COMMISSIONERS _____

NOES: COMMISSIONERS _____

ABSTAIN: COMMISSIONERS _____

ABSENT: COMMISSIONERS _____

By: _____
Chris Gustin, Chair of the
Commission

<p>APPROVED AS TO FORM Office of County Counsel</p> <p>By: <u>Jason M. Dooley</u> Deputy County Counsel</p> <p>Date: <u>September 13, 2022</u></p>	<p>APPROVED BY THE NAPA COUNTY HOUSING COMMISSION</p> <p>Date: _____</p> <p>Processed By: _____</p> <p>_____ Deputy Secretary of the NCHC</p>	<p>ATTEST: NEHA HOSKINS Secretary of the NCHC</p> <p>By: _____</p>
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