

**VENTURA COUNTY CULTURAL HERITAGE BOARD
RESOLUTION NO. 2022-2**

A RESOLUTION OF THE VENTURA COUNTY CULTURAL HERITAGE BOARD RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE CULTURAL HERITAGE BOARD PURSUANT TO GOVERNMENT CODE SECTION 54953, SUBDIVISION (e), OF THE RALPH M. BROWN ACT; AND ADOPTING BY REFERENCE FUTURE RESOLUTIONS OF THE VENTURA COUNTY BOARD OF SUPERVISORS RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS PURSUANT TO GOVERNMENT CODE SECTION 54953, SUBDIVISION (e), OF THE RALPH M. BROWN ACT

WHEREAS, the County of Ventura (“County”) is committed to preserving and nurturing public access and participation in meetings of the Ventura County Cultural Heritage Board (“CHB”);

WHEREAS, Government Code section 54953, subdivision (e), of the Brown Act, authorizes the legislative body of a local agency to use remote teleconferencing in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953, subdivision (b)(3), subject to the existence of certain conditions;

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;

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing;

WHEREAS, the CHB previously adopted CHB Resolution No. 2022-1 on January 24, 2022, finding that the required conditions set forth in Government Code section 54953, subdivision (e), to conduct remote teleconference meetings without compliance with Government Code section 54953, subdivision (b)(3) exist;

WHEREAS, as a condition of extending the use of remote teleconference meetings pursuant to Government Code section 54953, subdivision (e), the CHB must reconsider the circumstances of the state of emergency that exists, and the CHB has done so;

WHEREAS, emergency conditions persist in Ventura County, specifically, Governor Gavin Newsom declared a state of emergency in response to the COVID-19 pandemic on March 4, 2020 (“State of Emergency”);

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WHEREAS, on September 21, 2021, Dr. Robert Levin, Ventura County Health Officer, issued a recommendation to continue practicing social distancing measures throughout Ventura County communities, including to continue to implement 100 percent remote meetings of all legislative bodies in Ventura County, to prevent and minimize the spread of COVID-19 (“Recommendation to Promote Social Distancing”);

WHEREAS, the CHB does hereby find that it has reconsidered the circumstances of the State of Emergency, the State of Emergency remains active and continues to directly impact the ability of its members and attendees to meet safely in person, and that the Ventura County Health Officer, Dr. Robert Levin, continues to recommend measures to promote social distancing to minimize the spread of COVID-19 including that all legislative bodies in Ventura County continue to meet remotely, as further explained in his Recommendation to Promote Social Distancing, which has not been rescinded and remains in effect;

WHEREAS, the CHB does hereby find that it shall conduct its meetings without compliance with Government Code section 54953, subdivision (b)(3), as authorized by subdivision (e), of Government Code section 54953, and that the CHB shall comply with the requirements set forth in Government Code section 54953, subdivision (e)(2);

WHEREAS, the CHB does hereby find that because the territorial jurisdiction of the CHB is identical to that of the Ventura County Board of Supervisors, any future findings made by the Ventura County Board of Supervisors reconsidering the circumstances of the State of Emergency and finding the need to continue to meet remotely in compliance with requirements set forth in Government Code section 54953, subdivision (e)(2), would also apply to the facts and circumstances regarding teleconference meetings to be held by the CHB; and

WHEREAS, the CHB does not always meet every thirty (30) days as set forth in Government Code section 54953, subdivision (e)(3), and between the dates when the CHB’s meetings are held, the CHB considers it appropriate to adopt by reference, effective upon the date of adoption by the Ventura County Board of Supervisors, the future resolutions of the Ventura County Board of Supervisors, reconsidering the circumstances of the State of Emergency, and finding that the State of Emergency remains active and continues to directly impact the ability of its members and attendees to meet safely in person, and that the Ventura County Health Officer, Dr. Robert Levin, continues to recommend measures to promote social distancing to minimize the spread of COVID-19 including that all legislative bodies in Ventura County continue to meet remotely, as further explained in the Recommendation to Promote Social Distancing, which has not been rescinded, and which remains in effect;

NOW, THEREFORE, BE IT RESOLVED, by the Cultural Heritage Board of the County of Ventura, as follows:

Section 1. The foregoing recitals are true and correct.

Section 2. Staff supporting the CHB 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 of the CHB in accordance with Government Code section 54953, subdivision (e), and other applicable provisions of the Brown Act.

Section 3. This Resolution shall take effect immediately upon its adoption and shall be effective up to and inclusive of the next CHB meeting, at which time the CHB shall consider a subsequent resolution in accordance with Government Code section 54953, subdivision (e)(3), to extend the time during which the Board may continue to teleconference without compliance with Government Code section 54953, subdivision (b)(3).

Section 4. To the extent the CHB does not adopt a renewed resolution for remote meetings within thirty (30) days of this Resolution, the CHB hereby adopts by reference each future resolution of the Ventura County Board of Supervisors, adopted in accordance with Government Code section 54953, subdivision (e)(3), to extend the time during which the Ventura County Board of Supervisors may continue to teleconference without compliance with Government Code section 54953, subdivision (b)(3), as of the date of its adoption, finding that by virtue of the Ventura County Board of Supervisors' adoption of such a resolution, the CHB has also reconsidered the circumstances of the State of Emergency, the State of Emergency remains active and continues to directly impact the ability of its members and attendees to meet safely in person, and that the Ventura County Health Officer Dr. Robert Levin, continues to recommend measures to promote social distancing to minimize the spread of COVID-19 including that all legislative bodies in Ventura County continue to meet remotely, as further explained in his Recommendation to Promote Social Distancing, which has not been rescinded, and remains in effect.

Section 5. In addition to adopting by reference each future resolution of the Ventura County Board of Supervisors regarding teleconferencing as described in Section 4 above, the CHB shall also reconsider the circumstances of the State of Emergency at each of its meetings.

This is to certify the foregoing is a true and correct copy of the Resolution reflecting the Ventura County Cultural Heritage Board's actions taken at its March 14, 2022 public hearing regarding the above-described matter.

Miguel Fernandez, Acting Chair
Ventura County Cultural Heritage Board

Date

Attest: _____
Dillan Murray
Assistant Planner
Ventura County Planning Division

Date