

RESOLUTION NO. 22 – 21

RESOLUTION OF THE VENTURA COUNTY PLANNING COMMISSION AUTHORIZING CONTINUED REMOTE TELECONFERENCE MEETINGS OF THE PLANNING COMMISSION 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 Planning Commission (“Commission”);

WHEREAS, Government Code section 54953, subdivision (e), of the Ralph M. 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, such conditions now exists 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”);

WHEREAS, on September 21 and November 15, 2021, Dr. Robert Levin, Ventura County Health Officer, issued recommendations 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, most recently on July 28, 2022, the Commission considered the circumstances of the State of Emergency and Dr. Levin’s Recommendation to Promote Social Distancing and resolved to continue remote teleconference meetings for thirty days;

WHEREAS, the Centers for Disease Control and Prevention (“CDC”) indicate that the community transmission level is “high,” the CDC also explains that “some people and communities, such as our oldest citizens, people who are immunocompromised, and

people with disabilities, are the higher risk for serious illness and face challenging decisions navigating a world with COVID-19.” Like many other facilities throughout the County, the Board Chambers were not designed to ensure that attendees can remain six feet apart to reduce the possibility of infection with viruses that cause COVID-19. Further, Commission meetings often attract significant attendance with community members and staff in close proximity for long periods of time, with some of those individuals or their families at a higher risk for serious illness from COVID. Such risks are reduced significantly by providing both an in-person and remote ability to participate in the meetings. This allows those at potentially higher risk an ability to still fully participate in local government while also potentially reducing the number of people that must participate in a meeting in person;

WHEREAS, the Commission 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; and

WHEREAS, the Commission 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 Commission shall comply with the requirements set forth in Government Code section 54953, subdivision (e)(2); and

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the County of Ventura as follows:

Section 1. The foregoing recitals are true and correct.

Section 2. County staff supporting 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 of the Commission 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 until September 18, 2022, or until the Commission’s next regularly scheduled meeting and at such meeting the Commission adopts a subsequent resolution in accordance with Government Code section 54953, subdivision (e)(3), to extend the time during which the Commission may continue to teleconference without compliance with Government Code section 54953, subdivision (b)(3).

This is to certify the foregoing is a true and correct copy of the Resolution reflecting the Ventura County Planning Commission's action taken at its August 18, 2022, public hearing regarding the above-described matter.



Dave Ward, AICP, Planning Director
Secretary to the Planning Commission