

RESOLUTION NO. XXXX-XX

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE [SPECIAL DISTRICT NAME HERE] PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY [ENTER GOVERNOR'S ORDER AND DATE OF ISSUANCE], AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF [SPECIAL DISTRICT NAME HERE] FOR THE PERIOD [INSERT 30 DAY WINDOW HERE] PURSUANT TO BROWN ACT PROVISIONS.

WHEREAS, the [SPECIAL DISTRICT NAME HERE] is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of [SPECIAL DISTRICT NAME HERE]'s legislative bodies 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 District's legislative bodies conduct their business; 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, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in the District, specifically, [A STATE OF EMERGENCY HAS BEEN PROCLAIMED – DESCRIBE GOVERNOR'S PROCLAMATION HERE]; and

WHEREAS, [DESCRIBE ORDERS FROM STATE OR LOCAL OFFICIALS IMPOSING OR RECOMMENDING SOCIAL DISTANCING MEASURES OR DESCRIBE HOW MEETING IN PERSON WOULD PRESENT IMMINENT RISK TO HEALTH AND SAFETY OF ATTENDEES]; and

WHEREAS, the Board of Directors does hereby find that [DESCRIBE STATE OF EMERGENCY, AND, SOCIAL DISTANCING ORDERS OR CONDITIONS CAUSING IMMIMENT RISK TO ATTENDEES] has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to proclaim a local emergency and ratify the proclamation of state of emergency by the Governor of the State of California [AND POSSIBLY RATIFY STATE OR LOCAL ORDERS FOR SOCIAL DISTANCING]; and

WHEREAS, as a consequence of the local emergency, the Board of Directors does hereby find that the legislative bodies of [SPECIAL DISTRICT NAME HERE] shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, [DESCRIBE MEASURES DISTRICT IS TAKING TO ENSURE ACCESS FOR THE PUBLIC].

NOW, THEREFORE, THE BOARD OF DIRECTORS OF [SPECIAL DISTRICT NAME HERE] DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Proclamation of Local Emergency. The Board hereby proclaims that a local emergency now exists throughout the District, and [DESCRIBE SOCIAL DISTANCING ORDERS OR DESCRIBE HOW MEETING IN PERSON WOULD PRESENT IMMINENT RISK].

Section 3. Ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of [ENTER ISSUANCE DATE HERE].

Section 4. Remote Teleconference Meetings. The [STAFF OR GENERAL MANAGER] and legislative bodies of [SPECIAL DISTRICT NAME HERE] 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(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) [ENTER DATE 30 DAYS FROM ADOPTION OF RESOLUTION], or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of [SPECIAL DISTRICT NAME HERE] may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of [SPECIAL DISTRICT NAME HERE], this _____ day of _____, 20 __, by the following vote:

AYES: Detwiler, Gibbons, Silhi, Packham

NOES: Tannehill

ABSENT: None

ABSTAIN: None