



**Coachella Valley Water District  
Board of Directors**

**Resolution No: 2022-10**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
COACHELLA VALLEY WATER DISTRICT  
AUTHORIZING CONTINUED USE OF REMOTE TELECONFERENCING  
PROVISIONS UNDER AB 361 AND GOVERNMENT CODE SECTION 54953 FOR THE  
PERIOD OF MARCH 22, 2022 TO APRIL 21, 2022**

***WHEREAS***, the Board of Directors of the Coachella Valley Water District (“CVWD”) is committed to preserving and nurturing public access and participation in meetings of the Board; and

***WHEREAS***, meetings of the Board and standing committees (collectively, “Legislative Bodies”) are open and public, as required by the Ralph M. Brown Act (Government Code Sections 54950 – 54963); and

***WHEREAS***, the Brown Act makes provisions for remote teleconferencing participation subject to the existence of certain conditions. A required condition is that the Governor declares a state of emergency. It is further required that state or local officials have imposed or recommended measures to promote social distancing, or, meeting in person would present imminent risks to the health and safety of attendees; and

***WHEREAS***, the Board previously adopted Resolution No. 2021– 041, on October 12, 2021 finding that the requisite conditions exist for the CVWD Legislative Bodies to conduct remote teleconference/virtual meetings without compliance with Government Code Section 54953(b)(3) and also took subsequent actions to confirm and extend the 30-day period; and

***WHEREAS***, as a condition of extending the use of the provisions found in Government Code Section 54953(e), the Board must reconsider the circumstances of the State of Emergency that exist, and the Board has done so; and

***WHEREAS***, such conditions persist in CVWD, specifically, on March 4, 2020, the Governor proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19. In addition, state officials have issued orders imposing or recommending social

**Coachella Valley Water District  
Board of Directors**

**Resolution No: 2022-10**

distancing measures for certain individuals and in certain situations. For example, and not by way of limitation, social distancing is referenced in guidance on vaccine doses for persons who are immunocompromised and in certain situations under general industry safety orders. Furthermore, the state legislature has made findings that by removing the requirement that public meetings be conducted at a primary physical location with a quorum of members present, AB 361 protects the health and safety of civil servants and the public and does not preference the experience of members of the public who might be able to attend a meeting in a physical location over members of the public who cannot travel or attend that meeting in a physical location.

***WHEREAS***, as a consequence of the State of Emergency and the social distancing recommendations mentioned above, CVWD shall conduct its Board and standing committee meetings without compliance with Government Code Section 54953(b)(3), as authorized by Government Code Section 54953(e), and such Legislative Bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in Government Code Section 54953(e)(2); and

***WHEREAS***, as permitted under AB 361, CVWD will provide the public with the ability to view Board meetings and standing committee meetings online or virtually. Members of the public who wish to provide comment may make comments virtually. The public may also attend meetings in person.

***NOW THEREFORE, BE IT RESOLVED*** by the Board of Directors of the Coachella Valley Water District that this Board finds and determines:

1. The Recitals in this Resolution are true and correct and the Board so finds, determines and represents. Said Recitals are incorporated herein and made a part of this Resolution.
2. The Legislative Bodies, as well as the General Manager or his designee, 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.
3. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of: (a) April 21, 2022 or (b) such time as the Board adopts a subsequent resolution in accordance with Government Code Section 54953(e)(3) to extend the time during

**Coachella Valley Water District  
Board of Directors**

**Resolution No: 2022-10**

which Legislative Bodies may continue to teleconference without compliance with Government Code Section 54953(b)(3).

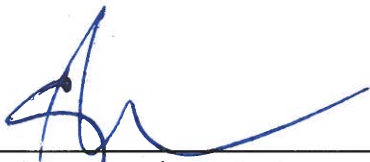
4. If any section, subsection, clause or phrase in this Resolution is for any reason held invalid, the validity of the remainder of this Resolution shall not be affected thereby. The Board hereby declares that it would have passed this Resolution and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof be held invalid.

***PASSED and ADOPTED*** by the Coachella Valley Water District Board of Directors during a regular meeting on this 22<sup>nd</sup> day of March 2022, by the following vote:

AYES: Powell, Nelson, Aguilar, Bianco, Estrada

NOES: None

ABSENT: None



---

Sylvia M. Bermudez, MMC  
Clerk of the Board  
Coachella Valley Water District