



AGENDA STAFF REPORT

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Agenda Number: D
File ID: 009123

Section Name: CONSENT CALENDAR
Project ID:

MEETING DATE: February 14, 2023

SUBJECT: Extend the use of the provisions found in Government Code Section 54953(e), and findings related to the State of Emergency due to COVID-19 that authorize the continued use of remote teleconferencing provisions pursuant to AB 361 and Government Code Section 54953

TO: BOARD OF DIRECTORS

FROM: CLERK OF THE BOARD, SYLVIA BERMUDEZ

**GENERAL MANAGER
RECOMMENDATION:**

RECOMMENDATION:

Affirm Resolution No. 2022-10, extending the use of the provisions found in Government Code Section 54953(e), and findings related to the State of Emergency due to COVID-19 that authorize the continued use of remote teleconferencing provisions pursuant to AB 361 and Government Code Section 54953.

BUDGET IMPACT:

N/A

PROCUREMENT METHOD:

☒ N/A

If other, please explain: .

BACKGROUND

54953 and permitting local agencies to use teleconferencing to conduct public meetings whenever a state of emergency exists that makes it unsafe to meet in person. On October 12, 2021, the Board adopted Resolution No. 2021-041, making the required findings under AB 361 and authorizing staff to implement teleconference accessibility to conduct public meetings. On November 9, 2021, the Board adopted Resolution No. 2021-43, affirming the findings related to the state of emergency due to COVID-19 and authorized staff to continue to implement teleconference accessibility and conduct public meetings pursuant to AB 361.

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 exists. Such conditions continue 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 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 prefer 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.

PRIOR BOARD ACTION:

The Board previously affirmed Board Resolution No. 2022-10, on March 22, 2022, April 26, 2022, May 24, 2022, June 28, 2022, July 26, 2022, August 23, 2022, September 27, 2022, October 25, 2022, November 8, 2022, December 13, 2022, and January 10, 2023, upholding the findings related to the state of emergency due to COVID-19, authorizing the continued use of remote teleconferencing provisions pursuant to AB 361 and Government Code 54953.

DISTRICT STRATEGIC PLAN GOAL(S)/OBJECTIVES(S):

N/A

ENVIRONMENTAL IMPACT:

This is not a project as defined by CEQA; therefore, approval does not require any CEQA action.

PUBLIC NOTICE REQUIRED

N/A

LEGAL REVIEW

N/A

ATTACHMENTS

Att 1 - Resolution No. 2022-10