

RESOLUTION NO. 2021-13

A RESOLUTION OF THE SCOTIA COMMUNITY SERVICES DISTRICT AS A RESULT OF
A LOCAL EMERGENCY AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS
OF THE LEGISLATIVE BODIES OF SCOTIA COMMUNITY SERVICES DISTRICT
PURSUANT TO BROWN ACT PROVISIONS.

WHEREAS, the Scotia Community Services District (SCSD) is committed to preserving and nurturing public access and participation in meetings of the District Board; 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, on March 4, 2020, the Governor proclaimed pursuant to his authority under the California Emergency Services Act, California Government Code section 8625, that a state of emergency exists with regard to a novel coronavirus (a disease now known as COVID-19); and

WHEREAS, on June 4, 2021, the Governor clarified that the “reopening” of California on June 15, 2021 did not include any change to the proclaimed state of emergency or the powers exercised thereunder; and

WHEREAS, as of the date of this Resolution, neither the Governor nor the Legislature have exercised their respective powers pursuant to California Government Code section 8629 to lift the state of emergency either by proclamation or by concurrent resolution in the state Legislature; and

WHEREAS, the continued local rates of transmission of the virus and variants causing COVID-19 are such that meeting in person would present imminent risks to the health or safety of attendees of public meetings;

NOW, THEREFORE, THE SCOTIA COMMUNITY SERVICES DISTRICT 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 SCSD, and social distancing orders are currently in place and needed to protect the health and safety of the citizens.

Section 3. Remote Teleconference Meetings. The staff and legislative bodies of SCSD 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 4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of thirty (30) days from adoption of the Resolution or such time the District Board adopts a subsequent Resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the SCSD may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

DULY PASSED AND ADOPTED this 21st day of October 2021, by the Scotia Community Services District Board of Directors by the following vote:


AYES:

NOES:

ABSTAIN:

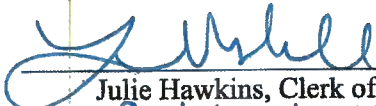
ABSENT:

ATTEST:




Paul Newmaker, Board President

ATTEST:



Julie Hawkins, Clerk of the Board
for Julie Hawkins

APPROVED AS TO FORM:



Sophia R. Meyer, District Counsel