

# Alleghany County Water District

## RESOLUTION NUMBER 113

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ALLEGHANY COUNTY WATER DISTRICT PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY THE GOVERNOR OF CALIFORNIA AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE PLEOCENE RIDGE CSD BOARD FOR THE PERIOD FEBRUARY 8, 2022 THROUGH MARCH 10, 2022 PURSUANT TO BROWN ACT PROVISIONS.

WHEREAS,

1. The ALLEGHANY COUNTY WATER DISTRICT “the district” is committed to preserving and nurturing public access and participation in meetings of the Board of Directors;
2. All meetings of District’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;
3. 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;
4. 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;
5. 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;
6. 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
7. Such conditions now exist in the District, specifically, a state of emergency due to the COVID Pandemic as declared by the Governor on March 4, 2020 that has not been lifted.
8. Continued local rates of transmission of the virus and variants are causing a surge of cases making in person meetings risky to the health of attendees.
9. As a consequence of the local emergency, the Board of Directors does hereby find that the legislative bodies of the district MAY 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
10. All remote meetings are accessible by telephone to the Board and General Public with notice posted within the time-frame required by the Brown Act.

# Alleghany County Water District

NOW, THEREFORE, THE BOARD OF DIRECTORS OF ALLEGHANY COUNTY WATER DISTRICT 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 the County Health Department and Board of Supervisors are recommending that in person meetings be held only as necessary with masks and physical distancing in place.

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 March 4, 2020.

Section 4. Remote Teleconference Meetings. The District is 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) March 10, 2022 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 Pliocene Ridge CSD may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

**PASSED & ADOPTED** by the Board of Directors of Alleghany County Water District on the 8<sup>th</sup> day of February, 2022 by the following vote:

Ayes: -

Nays: -

Abstain: -

Absent: -

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Tobyn Mehrmann, President

ATTEST:

Signature: \_\_\_\_\_

By: Amber Mehrmann  
Secretary  
Alleghany County Water District