

Agenda Item B
Meeting Date: August 25, 2022

RESOLUTION NO.: 003-2022
Dated: August 25, 2022

RESOLUTION OF THE BOARD OF DIRECTORS OF THE RUSSIAN RIVER WATERSHED ASSOCIATION AND ON BEHALF OF GROUPS AND COMMITTEES CREATED BY THE BOARD OF DIRECTORS RATIFYING THE PROCLAIMED STATE OF EMERGENCY DATED MARCH 4, 2020, APPLICABLE IN ITS JURISDICTION AND AUTHORIZING TELECONFERENCE MEETINGS OF THE RUSSIAN RIVER WATERSHED ASSOCIATION PURSUANT TO BROWN ACT PROVISIONS.

WHEREAS, the Russian River Watershed Association ("RRWA" or "Agency") is committed to preserving and nurturing public access and participation in meetings of its legislative bodies; and

WHEREAS, all meetings of RRWA's Board of Directors ("Board") and its Technical Working Group (TWG) are open and public, as guided by the Ralph M. Brown Act, Government Code section 54950 et seq., so that any member of the public may attend, participate, and watch the Agency's legislative body and TWG conduct the Agency's business; and

WHEREAS, Government Code section 54953(e)(1) provides a legislative body may meet via teleconference if the Governor has proclaimed a state of emergency pursuant to Government Code section 8625 and either (1) state or local officials have imposed or recommended measures to promote social distancing, (2) the legislative body meets to determine by majority vote that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, or (3) the legislative body has voted as such and is meeting pursuant to that vote; and

WHEREAS, while a legislative body meets via teleconference pursuant to Section 54953(e), it must take actions to preserve public access and public participation and give notice of the meeting and post agendas as otherwise required, allow members of the public to access the meeting via call-in line or internet-based service line, provide details on the agenda on how to access the meeting and give public comment, give an opportunity to comment pursuant to Government Code section 54954.3 and allow a reasonable amount of time during public comment for a person to register, login, and comment, and monitor the call-in line and internet-based service line to ensure no disruption hinders access or ability to comment, if there is, take no action until public access is restored; and

WHEREAS, a legislative body's decision to meet pursuant to Section 54953(e) must be reevaluated and renewed at least every thirty (30) days, or else the body will be required to adopt new initial findings; and

WHEREAS, the Board adopted Resolution 002-2022 on May 26, 2022 resolving for all Agency legislative bodies, groups, and subcommittees to meet via teleconference and that resolution has expired so the Agency is required to adopt new initial findings; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom proclaimed a state of emergency pertaining to the threat to human health and safety posed by the COVID-19 virus pandemic and that proclamation remains in effect to this day in the Agency's jurisdiction, Sonoma County, and statewide; and

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WHEREAS, the Health Officer of the County of Sonoma, Dr. Sundari R. Mace, MD MPH, issued "Sonoma County Public Health Recommendations for Safely Holding Public Meetings" on September 22, 2021, which recommends measures to promote social distancing, including that people maintain at least six-foot distance from one another; and

WHEREAS, the September 22, 2021 public health order is still in effect; and

WHEREAS, pursuant to Government Code section 8635 et seq., the Board has the authority during a state of emergency to take all actions necessary to perform its functions in the preservation of law and order, preservation of the furnishing of local services, and protection of life and property, which includes the authority to direct meetings of all Agency legislative bodies, groups, and subcommittees to be held via teleconference pursuant to this Resolution; and

WHEREAS, the Board of Directors desires to ratify the Governor's March 4, 2020, proclamation of state of emergency related to the COVID-19 pandemic as it applies in the Agency's jurisdiction, find a local official has recommended measures that promote social distancing, find that as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, and authorize teleconference meetings of RRWA legislative bodies, groups, and subcommittees pursuant to Section 54953(e)(1) so long as all provisions of that section are followed to provide public access and opportunity for public comment; and

WHEREAS, RRWA has made and will continue to make all agendas and materials available online, provide access to meetings via a call-in option and/or internet-based service option for all meetings of Agency legislative bodies, and permit persons requiring additional assistance to access meetings to contact the Administrator to request reasonable accommodations.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF RRWA 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. 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 related to the COVID-19 virus pandemic dated March 4, 2020, and finds the Proclamation remains valid and applicable within the jurisdiction of the Agency.

Section 3. Measures to Promote Social Distancing. The Board hereby finds a state of emergency exists within the jurisdiction of the Agency related to the COVID-19 virus pandemic, the conditions of that emergency present an imminent risk to the health and safety of attendees at Agency legislative body meetings, and the Health Officer of the County of Sonoma, Dr. Sundari R. Mace, MD MPH, has recommended measures to promote social distancing.

Section 4. Remote Teleconference Meetings. All meetings of RRWA legislative bodies, groups, and subcommittees 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.

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Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective for 30 days, unless the Board takes action to rescind the Resolution. On or before the 30th day since adoption, the Board may take action to extend the Resolution's permissions pursuant to Government Code section 54953(e)(3).

PASSED AND ADOPTED by the Board of Directors of the Russian River Watershed Association, this 25th day of August 2022, by the following vote:

MEMBERS:

Mulheren: ____ Hinton: ____ Rodin: ____ Cruz-Concepción: ____ Jimenez: ____

Salmon: ____ Alvarez: ____ Ford: ____ DuBay: ____ Garayalde: ____

AYES:

NOES:

ABSENT:

ABSTAIN:

SO ORDERED

The within instrument is a correct copy of the original on file with this office.

ATTEST:

DATE: August 25, 2022

Maureen Mulheren

Chair, Board of Directors of the Russian River Watershed Association