

**BEFORE THE BOARD OF DIRECTORS OF THE SLOUGHHOUSE RESOURCE
CONSERVATION DISTRICT**

RESOLUTION No. 2024.07.10.01

**Resolution Of The Board Of Directors Of The Sloughhouse Resource
Conservation District Ratifying The Proclamation Of A State Of Emergency By
Governor Gavin Newsom (March 4, 2020) As Applicable In The District's
Jurisdiction And Authorizing Teleconference, In Person, or Hybrid Meetings Of
District Legislative Bodies Pursuant To The Ralph M. Brown Act**

RECITALS

WHEREAS, all meetings of the Sloughhouse Resource Conservation District ("District") legislative bodies are open and public, as required by the Ralph M. Brown Act, Government Code section 54950 et seq. ("Brown Act"), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

WHEREAS, 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 (i) state or local officials have imposed or recommended measures to promote social distancing, (ii) 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 (iii) the legislative body has voted as such and is meeting pursuant to that vote; and

WHEREAS, while a legislative body meets with teleconference attendance 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 1st of the year, or else the body will be 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 Sacramento County and statewide; and

WHEREAS, the virus has short- and long-term effects – fever and chills, cough, shortness of breath and difficulty breathing, fatigue, headache, nausea, vomiting, gastrointestinal issues, loss of taste and smell, death – and it's prolific spread is severely impacting the health care system, inhibiting access to care for COVID-19 symptoms and other ailments; and

WHEREAS, while being vaccinated significantly decreases the likelihood of contracting or dying from the virus, vaccinated and unvaccinated people alike can carry, transmit, and be affected by the virus; and

WHEREAS, the COVID-19 virus and its variants are spread through the air when a person who is carrying the virus, whether they are showing symptoms or not, is in close proximity to another person; and

WHEREAS, while the COVID-19 virus remains present in the community, requiring all members of District's legislative bodies and all members of the public to meet in person would present an imminent risk to attendee health and safety beyond the control of the District's services, personnel, equipment, and facilities; and

WHEREAS, pursuant to Government Code section 8635 et seq., the District Board of Directors 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 District legislative bodies to be held with a teleconference attendance option pursuant to this Resolution; and

WHEREAS, the District Board of Directors desires to ratify the Governor's March 4, 2020, proclamation of state of emergency related to the COVID-19 virus pandemic as it applies to the jurisdiction of the District and authorize teleconference meetings of District legislative bodies pursuant to Section 54953(e) so long as all provisions of that section are followed to provide public access and opportunity for public comment; and

WHEREAS, the District has taken and will continue to take measures to ensure access for the public, including by providing the public a call-in option and/or internet-based service option to access and comment for all meetings of District legislative bodies.

WHEREAS, the conditions described above exist in the District and the District Board of Directors has considered the circumstances of the State of Emergency as well as local orders and recommendations; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Sloughhouse Resource Conservation District as follows:

1. The recitals set forth above are true and correct and are incorporated herein by reference as if set forth in full.
2. The Governor's March 4, 2020 proclamation of state of emergency related to the COVID-19 virus pandemic applies to the jurisdiction of the District and is ratified by the Board of Directors.
3. A state of emergency exists within the District's jurisdiction related to the COVID-19 virus pandemic and conditions of that emergency present an imminent risk to the health and safety of attendees at District legislative body meetings.
4. In order to decrease the risk to the health and safety of attendees to District public meetings, all meetings of District legislative bodies shall be conducted in a hybrid format with an

option for attendees to appear in person, social distancing permitting, or via a completely remote teleconference if needed, in accordance with Government Code section 54953(e) and staff 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 Section 54953(e) and other applicable provisions of the Brown Act.

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

This Resolution shall be effective immediately upon its approval and adoption.

PASSED AND ADOPTED on this 10th day of July, 2024, by the following vote, to- wit:

AYES: Garms, Carter, Silva, Schneider
NOES:
ABSENT: Washburn
ABSTAIN:

I, the undersigned, hereby certify that I am the duly appointed and acting Secretary of the Sloughhouse Resources Conservation District, and that at a meeting of the Board of Directors of the District held on July, 10, 2024 that Resolution 2024.07.10.01 was adopted and has not been rescinded or amended since the date of its adaptation and that it is now in full force and effect.

Brittany Friedman

Brittany Friedman, District
Manager

7/10/2024
Date

2024 BROWN ACT TELECONFERENCE FLOWCHART

This document outlines general permissions and limitations contained in the Ralph M. Brown Act, Government Code section 54950 et seq., regarding teleconferencing by members of legislative bodies. This is general guidance, terms and circumstances require further analysis on a case-by-case basis. If a member intends to participate electronically in a meeting, they should consult agency leadership and legal counsel to confirm compliance

STEP 1: Based on your circumstances and timing, identify the potential ways you can teleconference.	
Why are you unable to join the meeting in person?	Has the agenda posting deadline passed?
"Physical...emergency that prevents a member from attending in person"	No → Traditional or Emergency Yes → Emergency
"Family medical emergency that prevents a member from attending in person"	No → Traditional or Emergency Yes → Emergency
"A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely."	No → Traditional or Just Cause Yes → Just Cause
"A contagious illness that prevents a member from attending in person."	No → Traditional or Just Cause Yes → Just Cause
"A need related to a physical or mental disability as defined in Sections 12926 and 12926.1 not otherwise accommodated by [the agency's ADA accommodations]."	No → Traditional or Just Cause Yes → Just Cause
"Travel while on official business of the legislative body or another state or local agency."	No → Traditional or Just Cause Yes → Just Cause
No specified reason, reason not covered by above options, or do not want to disclose.	No → Traditional Yes → Teleconferencing not permitted

STEP 2: Can you answer "yes" to every requirement in the relevant column?		
TRADITIONAL	EMERGENCY	JUST CAUSE
	You have NOT teleconference participated for <i>just cause or emergency circumstances</i> for 3 consecutive months OR 20% or more of the regular meetings for this calendar year.	You have NOT teleconference participated for <i>just cause or emergency circumstances</i> for 3 consecutive months OR 20% or more of the regular meetings for this calendar year OR for <i>just cause</i> 2 meetings or more this calendar year.
A quorum of the body's members participate in-person from locations within the agency's jurisdiction.	A quorum of the body members participate in-person from a single location (1) identified on the agenda, (2) open to the public, and (3) within the jurisdiction.	A quorum of the body members participate in-person from a single location (1) identified on the agenda, (2) open to the public, and (3) within the jurisdiction.
You notified the body of your need to join via teleconference in time for agenda posting.	You notified the body as soon as possible of your need to join via teleconference for emergency circumstances.	You notified the body as soon as possible of your need to join via teleconference for emergency circumstances.
	You made a request to join via teleconference for this specific meeting; separate requests for each meeting are required	
	You provided the body a general description, meaning no more than 20 words, of the qualifying emergency circumstances.	You provided the body a general description, meaning no more than 20 words, of the qualifying just cause circumstances.
You participate through at least audio technology.	You participate through both audio <i>and</i> visual technology.	You participate through both audio <i>and</i> visual technology.
The public is provided an opportunity to observe <i>and</i> address the body from your location.	The public is provided an opportunity to observe <i>and</i> address the body either via (1) two-way audiovisual platform, e.g. Zoom, or (2) a phone <i>and</i> live webcast.	The public is provided an opportunity to observe <i>and</i> address the body either via (1) two-way audiovisual platform, e.g. Zoom, or (2) a phone <i>and</i> live webcast.
The agenda lists the address you are teleconferencing from.	The agenda includes information on how the public can remotely observe <i>and</i> address the body.	The agenda includes information on how the public can remotely observe <i>and</i> address the body.
The agenda is posted at the remote location.		
The agenda provides an opportunity for public comment at times typically required, including remotely, and comments are not required to be submitted in advance.	The agenda provides an opportunity for public comment at times typically required, including remotely, and comments are not required to be submitted in advance.	The agenda provides an opportunity for public comment at times typically required, including remotely, and comments are not required to be submitted in advance.
All votes are taken via rollcall.	All votes are taken via rollcall.	All votes are taken via rollcall.
	"[A]t the meeting before any action is taken," you disclose any individuals over 18 in the room and their relationship to you.	"[A]t the meeting before any action is taken," you disclose any individuals over 18 in the room and their relationship to you.
	At the beginning of the meeting, the body "take[s] action to approve the request."	
The body's meeting conduct protects the statutory and constitutional rights of the public (e.g., opportunity for public comment, accessible, no disruptions)	The body takes no action during a disturbance in the electronic access that prevents the public from observing or addressing the meeting.	The body takes no action during a disturbance in the electronic access that prevents the public from observing or addressing the meeting.