

# **ALTO SANITARY DISTRICT**

## **RESOLUTION 2022-04**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ALTO SANITARY DISTRICT MAKING FINDINGS AND DETERMINING A NEED TO CONTINUE HOLDING REMOTE MEETINGS BY TELECONFERENCE**

**WHEREAS**, the Board of Directors of the Alto Sanitary District (“District”) is committed to preserving public access and participation in meetings of the Board of Directors; and

**WHEREAS**, all meetings of the District’s Board 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 Board conduct its business; and

**WHEREAS**, Government Code section 54953(e) of the Brown Act, allows a legislative body to hold a teleconference meeting, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

**WHEREAS**, in order to meet by teleconference under Government Code section 54953(e), the Governor must have proclaimed a state of emergency under the California Emergency Services Act (Govt. Code § 8625 et. seq.); the legislative body must reconsider the circumstances of the state of emergency; and the legislative body must find that the state of emergency continues to directly impact the ability of the members to meet safely in person and/or state or local officials continue to impose or recommend measures to promote social distancing; and

**WHEREAS**, On March 4, 2020, Governor Newsom proclaimed a State of Emergency declared by Governor Newsom under the California Emergency Services Act due to COVID-19, which is still in existence; and

**WHEREAS**, on December 30<sup>th</sup>, 2021, the Marin County Health Officer issued a Health Order requiring the wearing of face coverings in workplaces and public settings due to the rise of the SARS-CoV-2 Omicron Variant, which is still in effect; and

**WHEREAS**, persons who regularly attend Board meetings are over the age of 65 and therefore considered particularly vulnerable to COVID-19; and

**WHEREAS**, the District provides in the public notices and agendas for all public meetings the online and telephone options for participation in public meetings, protecting the right of the public to address their local officials and to participate in public meetings, and posts this information on the District’s website, including instructions on how to access the public meeting remotely.

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Directors has reconsidered the circumstances of the state of emergency; and, be it

**FURTHER RESOLVED**, that the Board finds that State or local officials continue to impose or recommend measures to promote social distancing and that State of Emergency declared by Governor Newsom on March 4, 2020, continues to directly impact the ability of Board members, staff, and the public to meet safely in person; and, be it

**FURTHER RESOLVED**, that the Board finds that because of the aforesaid declared State of Emergency, meeting in person would present an imminent risk to the health or safety of meeting attendees; and be it

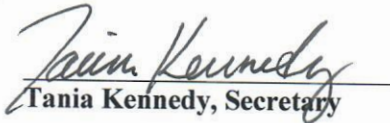
**FURTHER RESOLVED**, that the Board authorizes and directs the General Manager to place on the Board's agenda, at least once monthly, reconsideration of the State of Emergency to determine whether circumstances warrant continuing to meet by teleconference under Government Code section 54953(e)(3); and be it

**FURTHER RESOLVED**, that the Board authorizes and directs the General Manager 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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The foregoing resolution was duly adopted at a special meeting of the Alto Sanitary District on the 23<sup>rd</sup> day of March 2022 by the following vote of the Board.

Ayes: Bosenko, Elam, Gates, Kennedy, Nash  
Noes: None  
Abstain: None  
Absent: None

  
Tania Kennedy, Secretary

  
Janis Bosenko, President