

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE EASTERN PLUMAS
RURAL FIRE PROTECTION DISTRICT AUTHORIZING REMOTE
TELECONFERENCE MEETINGS OF THE DISTRICT IN COMPLIANCE WITH
ASSEMBLY BILL 361**

RESOLUTION NO. 2022-01

WHEREAS, the Eastern Plumas Rural Fire Protection District (the “District”) is committed to ensuring public access to observe and participate in its meetings; and

WHEREAS, all meetings of the District are open and public, as required by the Ralph M. Brown Act, so that any member of the public may participate in local government meetings; and

WHEREAS, the Ralph M. Brown Act, pursuant to Government Code section 54953(e), makes provisions for remote teleconferencing participation in local government meetings, without compliance with the requirements 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, on March 4, 2020, Governor Newsom proclaimed a State of Emergency due to the outbreak of respiratory illness from a novel coronavirus (a disease now known as COVID-19); and

WHEREAS, on March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20, suspending certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, which, effective September 30, 2021, repealed the provisions of Executive Order N-29-20 that allowed local legislative bodies to conduct meetings telephonically or by other means; and

WHEREAS, on September 16, 2021, Governor Newsom signed Assembly Bill 361 (“AB 361”), which allows 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 of AB 361 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, AB 361 further requires 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

WHEREAS, legislative bodies may make certain findings every thirty (30) days to continue teleconferencing under Government Code section 54953(e)(3), including reconsideration of the

state of emergency declared by the Governor pursuant to Government Code section 8625, and State or local officials continue to impose or recommend measures to promote social distancing; and

WHEREAS, the State of Emergency declared by the Governor pursuant to Government Code section 8625 continues to be in effect; and

WHEREAS, State and local health officials have imposed and recommended social distancing measures for the protection of public health and safety in response to COVID-19; and

WHEREAS, the Plumas County Public Health Officer continues to recommend social distancing measures to protect the community's health against the spread of COVID-19; and

WHEREAS, the Board of Directors does hereby find that the current conditions meet the circumstances set forth in Government Code section 54953(e) to allow the District to use teleconferencing to hold open and public meetings in compliance with Government Code section 54953(e)(2) to ensure the public can safely participate in and observe local government meetings.

NOW, THEREFORE BE IT RESOLVED:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Current Conditions Authorize Teleconference Public Meetings of Legislative Bodies. Based on the California Governor's continued declaration of a State of Emergency and the Plumas County Public Health Officer's recommendation to continue teleconferencing or social distancing during public meetings, the Board of Directors finds that the conditions exist pursuant to Government Code section 54953(e) for the District to use teleconferencing to hold public meetings in accordance with Government Code section 54953(e)(2) to ensure members of the public have continued access to safely observe and participate in local government meetings.

Section 3. Authorize Board of Directors to Conduct Teleconference Meetings. The Board of Directors is hereby authorized 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)(2) and other applicable provisions of the Ralph M. Brown Act.

Section 4. Effective Date. This Resolution shall take effect immediately upon its adoption.

The foregoing Resolution was duly introduced and adopted by the Board of Directors of the Eastern Plumas Rural Fire Protection District at a regular meeting held on the 3rd day of January, 2021 by the following roll call vote:

Ayes:
Noes:
Absent:
Abstain:

APPROVED:

ATTEST:

Jeanne Graham, Chairperson

Katy Martinez, Secretary