



Board of Directors

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Providing Outstanding Service Since 1963

January 24, 2022

Board of Directors
Triunfo Water & Sanitation District
Ventura County, California

CONSIDERATION AND ADOPTION OF TRIUNFO WATER & SANITATION DISTRICT RESOLUTION NO. TWSD 2022-002 AUTHORIZING CONTINUED USE OF REMOTE TELECONFERENCE MEETINGS IN ACCORDANCE GOVERNMENT CODE SECTION 54953(e) (AB-361)

SUMMARY

On September 16, 2021, the Governor signed AB 361 into law and thus amended Government Code §54953 (see Stats. 2021, Ch. 165) to extend the teleconference/remote public meeting authority and waivers provided under prior Executive Orders so long as certain conditions are met and findings are made. A local public agency may continue to hold its public meetings by teleconferencing but would require the local public agency decision-making body to make certain findings by majority vote every 30 days after the first of such teleconferenced meetings to continue use of remote teleconference meetings.

On October 25, 2021, the Board approved Resolution No. TWSD 2021-005 making the findings that the District's legislative bodies meeting in person would present imminent risks to the health and safety of attendees and directed staff to return within 30 days to review whether circumstances continue to exist and authorize extending the use of AB 361's teleconferencing procedures.

Since the adoption of Resolution No. TWSD 2021-005, the Board has on a regular basis approved 30-day extensions. On January 10, 2022, the Board approved Resolution No. TWSD 2022-001 making the required finding and authorizing extended use of remote teleconference meetings for the period of February 25, 2022 to March 26, 2022.

Since the circumstances of the state of emergency continue to impact in-person meetings and being the current resolution will expire on February 24, 2022 staff is recommending the Board consider extending the resolution for an additional 30 days.

The amended provisions of Government Code §54953 will sunset on January 1, 2024. This is subject to change if the Legislature and Governor elect to extend the sunset date or make the provisions permanent.

This letter has been reviewed by Legal Counsel as to form.

If you should have any questions or need additional information, please contact me by phone at (805) 658-4602 or via email at fidelagarcia@trunfowsd.com.

RECOMMENDATION

It is recommended the Board adopt TWSD Resolution No. 2022-002 Authorizing the Continued Use of Remote Teleconference Meetings of the Legislative Bodies of the Triunfo Water & Sanitation District for the Period of February 25, 2022 to March 26, 2022.

FIDELA GARCIA, CLERK OF THE BOARD

REVIEWED AND APPROVED:



Mark Norris, General Manager

Attachment:

TWSD Resolution No. 2022-002

RESOLUTION NO. TWSD 2022-002

A RESOLUTION OF THE BOARD OF DIRECTORS OF TRIUNFO WATER & SANITATION DISTRICT AUTHORIZING THE CONTINUED USE OF REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF TRIUNFO WATER & SANITATION DISTRICT FOR THE PERIOD FEBRUARY 25, 2022 to MARCH 26, 2022

WHEREAS, the TRIUNFO WATER & SANITATION DISTRICT (“District”) is committed to preserving and providing public access and participation in meetings of the Board of Directors in accordance with the California Constitution; and

WHEREAS, all meetings of the 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; and

WHEREAS, a state of emergency was declared by Governor Newsom on March 4, 2020 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, the District’s legislative bodies meeting in person would present imminent risks to the health and safety of attendees.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF TRIUNFO WATER & SANITATION DISTRICT DOES HEREBY FIND AND 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. Remote Teleconference Meetings. The General Manager and Staff of the District 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.
- Section 3. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until March 26, 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 the District may continue to teleconference without compliance with paragraph (b)(3) of Government Code section 54953.

TWSD Resolution 2022-002
January 25, 2022

PASSED AND ADOPTED by the Board of Directors of Triunfo Water & Sanitation District,
this 24th day of January, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Leon Shapiro, Chair

Fidela Garcia, Clerk of the Board

APPROVED AS TO FORM:

John Mathews, District Counsel