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November 28, 2022

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

CONSIDERATION AND ADOPTION OF TRIUNFO WATER & SANITATION DISTRICT RESOLUTION NO. TWSD 2022-032 AUTHORIZING CONTINUED USE OF REMOTE TELECONFERENCE MEETINGS IN ACCORDANCE WITH 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 the use of remote teleconference meetings.

On October 24, 2022, the Board approved Resolution No. TWSD 2022-031 making findings that the District's legislative bodies meeting in person would present imminent risks to the health and safety of attendees and approved that the District's legislative bodies would continue to meet by teleconference in compliance with Government Code Section 54953(e) and AB 361, in order to ensure the health and safety of the public while providing access to public meetings.

As the state of emergency continues and Resolution No. TWSD 2022-031 will expire on December 21, 2022, staff is recommending the Board consider continuing the use of teleconference meetings and extend the current 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.

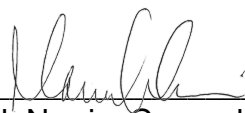
Legal Counsel has reviewed this letter.

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. 2022-032, Authorizing the Continued Use of Remote Teleconference Meetings of the Legislative Bodies of the Triunfo Water & Sanitation District for the Period of December 22, 2022, to January 21, 2023.

FIDELA GARCIA, CLERK OF THE BOARD

REVIEWED AND APPROVED:  _____
Mark Norris, General Manager

Attachment: TWSD Resolution No. 2022-032

RESOLUTION NO. TWSD 2022-032

**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 DECEMBER 22, 2022 TO JANUARY 21, 2023**

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 hereby ordains as follows:

1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. 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.
3. This Resolution shall take effect immediately upon its adoption and shall be effective until January 21, 2023, 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.

PASSED, APPROVED, AND ADOPTED this 28th day of November 2022, by the following vote:

AYES:

NOES:

ABSENT:

TRIUNFO WATER & SANITATION DISTRICT

Leon Shapiro, Chair

ATTESTED:

Fidela Garcia, Clerk of the Board

APPROVED AS TO FORM:

John Mathews, General Counsel