

RESOLUTION NO. 2021-26

**MAKING FINDINGS PURSUANT TO ASSEMBLY BILL 361
THAT THE PROCLAIMED COVID-19 STATE OF EMERGENCY CONTINUES
TO IMPACT THE ABILITY OF THE MPWD BOARD OF DIRECTORS
AND ITS COMMITTEES TO MEET SAFELY IN PERSON**

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MID-PENINSULA WATER DISTRICT

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency to exist in California because of the threat of COVID-19; and

WHEREAS, on March 17, 2020, the Governor issued Executive order N-29-20 suspending certain provisions of the Ralph M. Brown Act related to teleconferencing to allow legislative bodies to conduct meetings remotely to protect against the spread of COVID-19, and to protect the health and safety of the public; and

WHEREAS, on June 11, 2021, the Governor issued Executive Order N-08-21, which specified that Executive Order N-29-20 remained in effect through September 30, 2021, and then expires; and

WHEREAS, on September 16, 2021, the Governor signed Assembly Bill 361 (AB 361) into law as urgency legislation that went into effect immediately, that amended Government Code Section 54953 to allow legislative bodies to continue to meet remotely during a proclaimed State of Emergency, provided certain conditions were met and certain findings were made; and

WHEREAS, on September 20, 2021, the Governor issued Executive Order N-15-21 that generally suspended the AB 361 amendments to Government Code Section 54953 until October 1, 2021, and therefore clarifying that Executive Order N-29-20 controlled through September 30, 2021; and

WHEREAS, the Governor's proclaimed State of Emergency remains in effect, and state and local officials, including the San Mateo County Health Officer, the California Department of Public Health, and the Department of Industrial Relations, have imposed or recommended measures to promote social distancing; and

WHEREAS, to help protect against the spread of COVID-19 and its variants, and to protect the health and safety of the public, the Board of Directors desires to take the actions necessary to comply with AB 361 and to continue to hold its Board and committee meetings remotely.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Mid-Peninsula Water District has considered the circumstances of the proclaimed COVID-19 State of Emergency and finds that it continues to directly impact the ability of the Board members to meet safely in person, and state or local officials continue to impose or recommend measure to promote social distancing.

BE IT FURTHER RESOLVED that the Mid-Peninsula Water District will comply with the requirements of Government Code Section 54953(e)(2) when holding Board and committee meetings pursuant to this resolution.

BE IT FURTHER RESOLVED that the Board of Directors of the Mid-Peninsula Water District will consider findings in this resolution every thirty (30) days and may, by motion, reaffirm these findings.

PASSED AND ADOPTED this 28th day of October 2021 by the following vote:

AYES: Directors Vella, Zucca, Mostasisa, Wheeler, Schmidt


NOES: 0

ABSTENTIONS: 0

ABSENCES: 0


Board President

ATTEST:


Board Secretary