

CHANNEL ISLANDS BEACH COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO. 21-02

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CHANNEL ISLANDS BEACH COMMUNITY SERVICES DISTRICT PROCLAIMING A LOCAL EMERGENCY PERSISTS, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR'S EXECUTIVE ORDER N-29-20 ON MARCH 17, 2020, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF CHANNEL ISLANDS BEACH COMMUNITY SERVICES DISTRICT FOR THE PERIOD OCTOBER 1, 2021, UNTIL DECEMBER 31, 2021, PURSUANT TO BROWN ACT PROVISIONS.

WHEREAS, the Channel Islands Beach Community Services District is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of Channel Islands Beach Community Services 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, the Brown Act, Government Code section 54953(e), makes provision 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 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, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological or human-caused disasters; and

WHEREAS, it is further required 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, as a condition of extending the use of the provisions found in section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency that exists in the District, and the Board of Directors has done so; and

WHEREAS, emergency conditions persist in the District, specifically, on March 4, 2020 the Governor's office issued a state of emergency order related to the Covid-19 pandemic and that order remains effective at the time of adoption of this resolution; and

WHEREAS, on September 17, 2021, order of the Ventura County Health Officer extending the August 20, 2021 order requiring all individuals in the county to wear face coverings in all indoor public settings and businesses to minimize the spread of Covid-19; and

WHEREAS, the Board of Directors does hereby find that the continued risk of COVID-19 infection remains significantly higher than stated public health goals, and the Channel Islands Beach Community Services District Board Room is not sufficient in size to allow for appropriate social distancing has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to affirm a local emergency exists and re-ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency persisting, the Board of Directors does hereby find that the legislative bodies of Channel Islands Beach Community Services District shall continue to conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, all meetings will be conducted to ensure the ability for the public to continue to participate through publication of meeting agendas containing the meeting ID link and call in phone number of all remote meetings, which allow the public to listen and provide comment on any and all business being conducted before the legislative body.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF CHANNEL ISLANDS BEACH COMMUNITY SERVICES DISTRICT DOES HEREBY 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. Affirmation that Local Emergency Persists. The Board of Directors hereby considers the conditions of the state of emergency in the District and proclaims that a local emergency persists throughout the District, and

Section 3. Re-ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings. The General Manager and legislative bodies of Channel Islands Beach Community Services District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) December 31, 2021, 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 Channel Islands Beach Community Services District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

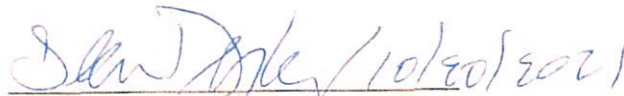
PASSED AND ADOPTED by the Board of Directors of Channel Islands Beach Community Services District this 12th day of October 2021, by the following vote:

AYES: Directors: Debley, Bouchard, Marcus, Nast

NOES: Directors: None

ABSENT: Directors: Brewer

ABSTAIN: Directors: None


SEAN DEBLEY, BOARD PRESIDENT

ATTEST:



PETER MARTINEZ
GENERAL MANAGER

APPROVED AS TO FORM:



JOHN MATHEWS
GENERAL COUNSEL

