

Lincoln-SMD 1 Wastewater Authority

Resolution No. 2022-1

**Resolution of the Board of Directors
Making Findings that the Proclaimed State of Emergency
Impacts the Ability to Meet Safely in Person**

On March 4, 2020, Governor Newsom declared a State of Emergency to exist in California as a result of the threat of COVID-19.

On September 16, 2021, the Governor signed Assembly Bill 361 ("**AB 361**") into law that amends Government Code Section 54953 to allow legislative bodies to continue to meet remotely during a proclaimed State of Emergency, provided that (1) state or local officials have imposed or recommended measures to promote social distancing, or (2) the legislative bodies determine that meeting in person would present imminent risks to the health or safety of attendees, and (3) the legislative bodies make such findings at least every thirty days during the term of the declared state of emergency.

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

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 ("**Board**") desires to take the actions necessary to comply with AB 361 and to maintain the ability to hold its Board meetings remotely.

The Board of Directors of the Lincoln-SMD 1 Wastewater Authority therefore resolves as follows:

Section 1. The Board of Directors of the Lincoln-SMD 1 Wastewater Authority has considered the circumstances of the State of Emergency, and finds that the State of Emergency impacts the ability of the members to meet safely in person, and state or local officials continue to impose or recommend measures to promote social distancing.

Section 2. The Authority will comply with the requirements of Government Code Section 54953(e)(2) when holding Board and committee meetings pursuant to this Resolution, including but not limited to the following:

(1) provide notice of the meeting, including the means by which members of the public may access the meeting and offer public comment via a call-in option or an internet-based service option, and post the agenda as otherwise required by the Brown Act;

(2) if an event disrupts the Authority from broadcasting the meeting to members of the public via the call-in or internet-based service option, then the Board will take no further action on items appearing on the agenda until the broadcast is restored;

(3) not require public comments to be submitted in advance of the meeting;

(4) provide the opportunity for the public to offer comment in real time; and

(5) provide a reasonable amount of time per agenda item to allow members of the public to provide public comment.


Section 3. The Board will consider the findings in this Resolution every 30 days and may, by motion approved by a majority of the Board, reaffirm these findings.

Regularly passed and adopted on December 2, 2022 by the following vote:

Ayes: Dan Karleskindt, Jim Holmes, Holly Andreatta, and Robert Weygandt

Noes:

Absent:



Chair, Lincoln-SMD 1 Wastewater Authority

Attest:



Secretary