

SANTA YNEZ COMMUNITY SERVICES DISTRICT
MEMORANDUM

TO: Board of Directors
FROM: Loch Dreizler, General Manager
DATE: February 15, 2023
SUBJECT: Adopt District Resolution 23-03 Authorizing Continuation of Remote Teleconference Meetings

Recommendation / Proposed Motion:

As of March 1, 2023, AB 361's exemptions will no longer be available.

Review, discuss, and consider adopting District Resolution 23-01, a Resolution of the Board of Directors of the Santa Ynez Community Services District Authorizing Continuation of Remote Teleconference Meetings of the District's Legislative Bodies Pursuant to Government Code Section 54953(e) for the period February 15, 2023, through March 1, 2023.

Policy Implications

Adoption of Resolution 23-03 would allow the Board to continue conducting its Board meetings remotely pursuant to Government Code 54953(e) and AB 361.

Fiscal Implications

There are none currently.

Alternatives Considered

The Board elects not to adopt Resolution 23-03 and revert to meeting in person and with the requirements of the Brown Act for any Board member attending the meeting at a remote location.

Discussion

This bill authorized a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined as when a state or local health officials have imposed or recommended measures to promote social distancing, during a proclaimed state of emergency held to determine, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees, as provided.

AB 361 would require legislative bodies that hold teleconferenced meetings under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body via a call-in option or an internet-based service option, and

to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body.

Since March 2020, the Board of Directors has conducted its Board meetings under the provisions of Government Code 54953(e), allowing the meetings to be conducted remotely via teleconferencing without compliance with the requirements of Government Code section 54953(b)(3).

The ability to conduct the meetings remotely via teleconference is due to the state of emergency declared by the Governor of California pursuant to Government Code section 8625 due to the pandemic of the Coronavirus.

AB 361 requires the district to acknowledge that a state of emergency is declared by the Governor of California and that state or local officials have imposed or recommended measures to promote social distancing. The state of emergency declared by Governor Newsom remains in effect along with the attached document titled "Health Officials AB 361 Social Distance Recommendation", issued on September 28, 2021, by the Santa Barbara County Health Department.

The Board originally adopted Resolution 21-12, finding that the requisite conditions existed for the Board of Directors and other legislative bodies of the district to conduct remote teleconference meetings without compliance with Government Code 54953 (b) (3).

With the adoption of Resolution 23-03, attending meetings by teleconference under AB 361 and Government Code 54953(e) will continue and expire every thirty (30) days thereafter; the Board adopts a subsequent resolution setting forth the findings required by Government Code section 54953(e)(3) to extend the timeframe that the district may continue conducting its public meetings via teleconference in compliance with government Code Section 54953(b)(3). A special meeting could be held to continue the remote teleconference meetings before the next regular board meeting.

Attachment

Resolution 23-03