

RESOLUTION NO. 2021-10

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT FOR THE PERIOD OCTOBER 4, 2021 THROUGH NOVEMBER 4, 2021 PURSUANT TO BROWN ACT PROVISIONS DUE TO A STATE OF EMERGENCY.

WHEREAS, the Feather River Air Quality Management District (FRAQMD) is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of FRAQMD'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 provisions 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, such conditions now exist in FRAQMD, specifically, on March 4, 2020 the Governor proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19 and

WHEREAS, the continued local rates of transmission of the virus and variants causing COVID-19 are such that meeting in person would present imminent risks to the health or safety of attendees of FRAQMD public meetings if teleconference meetings are not held.

WHEREAS, the FRAQMD will continue to post meeting agendas on District website, District office building, and at the Yuba and Sutter County Board of Supervisors with access to Zoom meeting links.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF FRAQMD 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. State of Emergency. A proclaimed state of emergency exists and as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

Section 3. Remote Teleconference Meetings. The Air Pollution Control Officer and legislative bodies of FRAQMD 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.

Section 4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and remain in effect until November 4, 2021, or until 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 FRAQMD may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of Feather River Air Quality Management District, this 4th day of October 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN

ATTEST:

Approved as to legal form:

Clerk of the Board

District Counsel