



RESOLUTION No. 01242022

RESOLUTION OF THE BOARD OF DIRECTORS OF THE
RIM OF THE WORLD RECREATION AND PARK
DISTRICT CONFIRMING THE CONTINUING STATE OF
EMERGENCY PROCLAIMED BY GOVERNOR NEWSON
ON MARCH 4, 2020 AND AUTHORIZING REMOTE
TELECONFERENCE MEETINGS OF ITS BOARD OF
DIRECTORS FOR THE PERIOD JANUARY 24, 2022
THROUGH FEBRUARY 24, 2022 PURSUANT TO
NEWLY ENACTED BROWN ACT PROVISIONS.

WHEREAS, the Rim of the World Recreation & Park District (the “District”) is committed to preserving and encouraging public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of the 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 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, 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, such conditions now exist in the District, specifically, as the state of emergency declared by Governor Newsom on March 4, 2020 continues; and

WHEREAS, social distancing orders are in place at the state and County level for indoor public meetings and, given the size of the Board room, imposing such social distancing measures could present an imminent risk to the health and safety of attendees and enforcement of such rules could deter participation in a Board meeting; and

WHEREAS, the Board of Directors does hereby find that the combination of the emergency order and the requirement for 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 rely upon those orders to allow remote attendance at meetings subject to the requirements of the Brown Act; and

WHEREAS, Board of Directors does hereby find that, commencing with the October 25, 2021 meeting, it is justified in conducting its 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 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, the District has and will continue to comply with all other applicable health and safety orders.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE RIM OF THE WORLD RECREATION AND PARK 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. Confirmation of Emergency. The Board hereby proclaims that the state of emergency continues throughout the District, and meeting in person would be difficult due to the size of the Board room and therefore present imminent risk to those in attendance.

Section 3. Remote Teleconference Meetings. The General Manager and staff 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 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) 30 days from the date of its adoption; or (ii) 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 all District bodies subject to the Brown Act may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of the Rim of the World Recreation and Park District this 24TH day of January 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

PASSED, APPROVED, AND ADOPTED on this 6th day of December 2021

Roberta "Gigi" Bannister

Chair of the Board of Directors

ATTEST:

Hugh A. Bialecki, DMD

Secretary to the Board of Director

