



December 2, 2021

Board of Directors  
Ventura Regional Sanitation District  
Ventura, California

**CONSIDERATION AND ADOPTION OF VRSD RESOLUTION NO. 21-08  
AUTHORIZING CONTINUED USE OF TELECONFERENCE MEETINGS IN  
ACCORDANCE WITH GOVERNMENT CODE SECTION 54953, SUBDIVISION (e)  
(AB 361)**

**RECOMMENDATION**

Adopt VRSD Resolution No. 21-08 Authorizing Teleconference Meetings of the Legislative Bodies of the Ventura Regional Sanitation District for the Period of December 2, 2021 through December 31, 2021.

**FISCAL IMPACT**

None.

**BACKGROUND/ANALYSIS**

On September 16, 2021, the Governor signed AB 361 into law and thus amended Government Code §54953 (see Stats. 2021, Ch. 165) to extend the teleconference/remote public meeting authority and waivers provided under prior Executive Orders so long as certain conditions are met and findings are made.

On October 13, 2021, the Ventura Regional Sanitation District Board of Directors Adopted Resolution, Number 21-06, finding that the requisite conditions exist for the legislative bodies of the District to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953.

On November 4, 2021, the Ventura Regional Sanitation District Board of Directors approved Resolution No. 21-07 authorizing remote teleconference meetings of the legislative bodies of the VRSD for the period of November 7, 2021 through December 3, 2021.

Resolution 21-08 is effectively an extension of Resolution No. 21-07 and enables remote teleconferencing for Board and Committee meetings through December 31, 2021, absent a subsequent decision by the Board to return to in-person meetings.

The amended provisions of Government Code §54953 will sunset on January 1, 2024. This is subject to change if the Legislature and Governor elect to extend the sunset date or make the provisions permanent.

This letter has been reviewed by Legal Counsel as to form.

If you should have any questions or need additional information, please contact me by phone at (805) 568-4642 or via email at JulietRodriguez@vrsd.com.



JULIET RODRIGUEZ, CLERK OF THE BOARD

APPROVED FOR AGENDA:



Chris Theisen, General Manager

Attachments: 1. Proposed VRSD Resolution No. 21-08

**VENTURA REGIONAL SANITATION DISTRICT**

**BOARD OF DIRECTORS**

**VRSD RESOLUTION NO. 21-08**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE VENTURA REGIONAL SANITATION DISTRICT AUTHORIZING TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF THE VENTURA REGIONAL SANITATION DISTRICT IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54953(e) FOR THE PERIOD DECEMBER 2, 2021 THROUGH DECEMBER 31, 2021**

**WHEREAS**, a state of emergency was declared by Governor Newsom on March 4, 2020 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**, the Ralph M. Brown Act (Gov. Code §54950 *et seq.*) requires that all meetings of a legislative body of a local agency be open and public and that any person may attend and participate in such meetings; and

**WHEREAS**, the Brown Act allows for legislative bodies to hold meetings by teleconference so long as specific requirements are followed; and

**WHEREAS**, on March 17, 2020, in order to allow for public meetings during the public health emergency, Governor Newsom issued Executive Order No. N-29-20, suspending the Brown Act's teleconferencing requirements; and

**WHEREAS**, on June 11, 2021, Governor Newsom issued Executive Order No. N-8-21, continuing the suspension of the Brown Act's teleconferencing requirements through September 30, 2021; and

**WHEREAS**, these Executive Orders allowed legislative bodies to meet virtually as long as certain notice and accessibility requirements were met; and

**WHEREAS**, Assembly Bill No. 361 (AB 361), which amended the Brown Act's teleconferencing provisions in Government Code section 54953 was enacted into law on September 16, 2021 (see Stats. 2021, Ch. 165) so that a local agency may use teleconferencing without complying with the regular teleconferencing requirements of the Brown Act when the legislative body holds a public meeting during a proclaimed state of emergency and makes certain findings; and

**WHEREAS**, Government Code section 54953 requires that the legislative body make additional findings every 30 days in order to continue such teleconferencing; and

**WHEREAS**, the Board of Directors adopted a Resolution, Number 21-06 on October 7, 2021, finding that the requisite conditions exist for the legislative bodies of the District to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

**WHEREAS**, the Board of Directors previously adopted a Resolution, Number 21-07 on November 4, 2021, finding that the requisite conditions exist for the legislative bodies of the District to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

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

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF VENTURA REGIONAL SANITATION DISTRICT DOES HEREBY FIND AND RESOLVE AS FOLLOWS:**

Section 1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. The Board of Directors of the Ventura Regional Sanitation District finds by a majority vote, the following:

- a. That there exists a proclaimed state of emergency pursuant to the Governor's Executive Order (EO) dated March 4, 2020 and as modified by EO No. N-08-21; and
- b. The Board is meeting for the purpose of determining and so determines that as a result of the declared state of emergency and corresponding local public health orders (*see* Exhibit 1 which is attached and incorporated herein by reference), meeting in person would present imminent risks to the health or safety of attendees.

Section 3. The General Manager or his designee is 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), as amended, and other applicable provisions of the Brown Act.

PASSED AND ADOPTED by the Board of Directors of Ventura Regional Sanitation District, this 2<sup>nd</sup> day of December, 2021, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

Dated: December 2, 2021

VENTURA REGIONAL SANITATION DISTRICT

Approved as to content for District:

\_\_\_\_\_

By: \_\_\_\_\_

Chris, Theisen General Manager

Jim Friedman, Chairperson

VRSD Resolution 21-08  
December 2, 2021

Approved as to form for District:

By: \_\_\_\_\_

Juliet Rodriguez, Clerk of the Board

\_\_\_\_\_  
Robert N. Kwong, District Counsel

## EXHIBIT 2

Wednesday, November 24, 2021

### SUMMARY

<b>New Cases</b>	<b>73</b>
<b>New Tests Performed</b>	<b>7,691</b>
<b>New Deaths</b>	<b>2</b>
<b>Current Hospitalizations</b>	<b>27</b>
<b>Current ICU</b>	<b>7</b>
<b>Total Cases (Active, Recovered, and Deaths)</b>	<b>99,206</b>
<b>Total Tests Performed</b>	<b>2,235,021</b>
<b>Deaths</b>	<b>1,185</b>

Source: County of Ventura Public Health at [VenturaCountyRecovers.org](https://www.venturacountyrecovers.org)