

RESOLUTION NO. 2022-07

A RESOLUTION OF THE BEAUMONT BASIN WATERMASTER AUTHORIZING PUBLIC MEETINGS TO BE HELD VIA TELECONFERENCING PURSUANT TO GOVERNMENT CODE SECTION 54953(E) AND MAKING FINDINGS AND DETERMINATIONS REGARDING SAME

WHEREAS, the Beaumont Basin Watermaster (BBWM) is committed to preserving public access and participation at its meetings which 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 observe; and

WHEREAS, pursuant to Assembly Bill 361 effective September 16, 2021, 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 the following conditions:

1. The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
2. The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
3. The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

WHEREAS, such conditions now exist in the area of jurisdiction of the Beaumont Basin Watermaster, specifically, a State of Emergency was proclaimed by California Governor Gavin Newsom on March 4, 2020 due to an outbreak of the COVID-19 respiratory illness due to a novel coronavirus; and

WHEREAS, the Riverside County / Riverside University Health System - Public Health has documented great spread of the coronavirus in the County of Riverside; and

WHEREAS, the California Department of Public Health has asserted that indoor settings are especially high risk for transmission, and that the COVID-19 respiratory illness continues to present imminent risk to health and safety of attendees at meetings; and

WHEREAS, the Centers for Disease Control and Prevention continue to advise that COVID-19 spreads more easily indoors than outdoors and that people are more likely to be exposed to COVID-19 when they are closer than six feet apart from others for longer periods of time; and

WHEREAS, the Watermaster Committee does hereby find that given the continued proclaimed state of emergency by the Governor of the State of California, and that the sustained transmission rate of coronavirus has caused, and will continue to cause, conditions of peril to the safety of persons within the area of the Beaumont Basin; and

WHEREAS, the Watermaster does hereby find that the legislative bodies of the BBWM shall conduct 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, BBWM will assure the right of the public to attend public meetings and address the Committee by continuing to provide teleconferencing access to meetings to the public via an identified call-in / internet-based option, allowing a public comment opportunity at meetings as required by the Brown Act; and

WHEREAS, in the event of a disruption in teleconferencing capability, the Watermaster Committee will take no action on agenda items until the technology issue is resolved,

NOW, THEREFORE, BE IT RESOLVED, by the Beaumont Basin Watermaster Committee that:

1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. Governor's Proclamation of a State of Emergency. The Committee members hereby acknowledge the proclamation of State of Emergency made on March 4, 2020.
3. Remote Teleconference Meetings. The members of the Watermaster Committee 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.
4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective for 30 days.

PASSED AND ADOPTED this 5 day of October, 2022 by the following vote:

AYES: Armstrong, Jagers, Zoba, Hart, Vela

NOES:

ABSTAIN:

ABSENT:

BEAUMONT BASIN WATERMASTER

BY: 

ART VELA, CHAIR

BEAUMONT BASIN WATERMASTER