



## RESOLUTION 22-01

### RESOLUTION OF THE DEER SPRINGS FIRE PROTECTION DISTRICT AUTHORIZING REMOTE TELECONFERENCE MEETINGS DURING COVID-19 PANDEMIC

**WHEREAS**, international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named "SARS-CoV-2," and the disease it causes has been named "coronavirus disease 2019," abbreviated COVID-19; and

**WHEREAS**, on January 30, 2020, the World Health Organization declared a Public Health Emergency of International Concern as a result of the COVID-19 virus. On January 31, 2020, the United States Secretary of Health and Human Services also declared a Public Health Emergency of the COVID-19 virus; and

**WHEREAS**, on February 14, 2020, the San Diego County Health Officer declared a Local Health Emergency as a result of the COVID-19 virus, which was subsequently ratified by the Board of Supervisors on February 19, 2020; and

**WHEREAS**, on March 4, 2020, the Governor issued a Proclamation of State of Emergency in response to the COVID-19 pandemic, which Proclamation remains in effect; and

**WHEREAS**, on March 17, 2020, the Governor issued Executive Order N-29-20, modifying the teleconferencing rules set forth in the California Open Meeting law, Government Code section 54950 et seq. (the "Brown Act"), subject to compliance with certain requirements; and

**WHEREAS**, on June 11, 2021, the Governor issued Executive Order N-08-21, providing that the modifications would remain in place through September 30, 2021; and

**WHEREAS**, on September 16, 2021, the Governor signed AB 361, providing that a legislative body subject to the Brown Act may continue to meet under modified teleconferencing rules if the meeting occurs during a proclaimed state of emergency and state or local officials have imposed or recommended measures to promote social distancing; and

**WHEREAS**, on September 23, 2021, Dr. Wilma Wooten, the County of San Diego's Public Health Officer, issued a letter recommending the utilization of teleconferencing options for public meetings as an effective and recommended social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and others from the COVID-19 virus (the "Teleconferencing Recommendation"); and

**WHEREAS**, Deer Springs Fire Protection District Policy A02, Board Meetings, authorizes the Board of Directors to make alternate meeting arrangements during a State of Emergency; and

**WHEREAS**, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, this legislative body deems it necessary to take action for purposes of utilizing the provisions of AB 361 and Government Code §54953 related to teleconferencing;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Deer Springs Fire Protection District

1. The recitals set forth above are true and correct and form the basis for the finding of this Resolution.
2. This legislative body finds that there is an existing proclaimed State of Emergency and state and local officials have imposed or recommended measures to promote social distancing, including but not limited to the Teleconferencing Recommendation.
3. This legislative body has considered the circumstances of the circumstances of the State of Emergency and state or local officials continue to impose or recommend measures to promote social distancing.
4. In order to satisfy the requirements of Section 54953(e)(3) of the Brown Act, which allows local legislative bodies to continue utilizing simplified teleconferencing options under the Brown Act if certain findings are made no later than thirty (30) days after such simplified teleconferencing options are first used, the District Administrator is directed to return no later than thirty (30) days after the adoption of this Resolution with an item for this legislative body's reconsideration of these findings.
5. The District Administrator is directed to take any other necessary or appropriate actions to implement the intent and purposes of this Resolution.
6. This finding is intended to apply to all of the legislative body subcommittees this legislative body has created.
7. This Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED BY THE FOLLOWING VOTE THIS 1ST DAY OF FEBRUARY, 2022.**

AYES: 3  
NAYS: 1  
ABSENT: 1

Approved: \_\_\_\_\_

Bret A. Sealey  
President

Attested: \_\_\_\_\_

Mark Jackson  
Secretary/Treasurer