

Adopt if needed to revert to
teleconference meetings.

**KNIGHTSEN TOWN COMMUNITY SERVICES DISTRICT
RESOLUTION 2021-2
BEFORE THE BOARD OF DIRECTORS OF THE KNIGHTSEN TOWN COMMUNITY SERVICES DISTRICT**

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE KNIGHTSEN TOWN COMMUNITY SERVICES DISTRICT (KTCSD) PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM'S ORDER DATED MARCH 4, 2020, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODY OF THE KNIGHTSEN TOWN COMMUNITY SERVICES DISTRICT (KTCSD) FOR THE PERIOD NOVEMBER 4, 2021 TO DECEMBER 4, 2021 PURSUANT TO BROWN ACT PROVISIONS (ASSEMBLY BILL 361).

WHEREAS, the Knightsen Town Community Services District (KTCSD) is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of Knightsen Town Community Services District's (KTCSD) legislative body 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 body 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, the State of Emergency declared by Governor Newsom on March 4, 2020, due to COVID-19; and

WHEREAS, in order to slow the spread of the more contagious Delta variant of COVID-19, on August 2, 2021, the Contra Costa County Health Officer issued an order requiring all people, regardless of vaccination status to wear face coverings in public indoor settings in Contra Costa County; and

WHEREAS, the Board of Directors does hereby find that the rise in the more contagious Delta variant of COVID-19 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 proclaim a local emergency exists and ratify the proclamation of state of emergency by the Governor of the State of California and the Contra Costa County Health Officer's August 2, 2021 order; and

WHEREAS, as a consequence of the local emergency, the Board of Directors does hereby find that the legislative body of the Knightsen Town Community Services District (KTCSD) shall conduct their 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 body 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 Knightsen Town Community Services District (KTCS D) has utilized procedures that comply with virtual meeting protocols prescribed in paragraph (2) of subdivision (e) of Government Code section 54953 and will continue to utilize these procedures during the duration of the proclaimed State of Emergency.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE KNIGHTSEN TOWN COMMUNITY SERVICES DISTRICT (KTCS D) 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. Proclamation of Local Emergency. The Board of Directors hereby proclaims that a local emergency now exists throughout the District, and COVID-19 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.

Section 3. Ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings. The Chairperson and the legislative body of the Knightsen Town Community Services District (KTCS D) 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 December 4, 2021, 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 the legislative body of the Knightsen Town Community Services District (KTCS D) may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

AYES:
NOES:
ABSTAIN:
ABSENT:

Attest:

I HEREBY CERTIFY that the foregoing Resolution No. 2021-2 was duly and regularly adopted at a regular meeting of the Board of Directors of the Knightsen Town Community Services District on November 4, 2021

Gilbert Somerhalder, Vice Chair
Knightsen Town Community Services District

Trish Bello-Kunkel, Chairperson
Knightsen Town Community Services District