



OLYMPIC VALLEY PUBLIC SERVICE DISTRICT



SPECIAL BOARD OF DIRECTORS MEETING AGENDA

Monday, January 24, 2022, at 2:45 P.M.

Accessible via Telephone + Video Conference:

Phone Number: 1 (872) 240-3212 Access Code: 164-288-157. Please join via the computer for webcam and chat access: <https://global.gotomeeting.com/join/164288157>

See [guidance, available online here](#), on further details about how to use GoToMeeting and Rules for the Board Meeting.

Pursuant to Resolution 2022-01 and Government Code Section 54953(e) (AB 361) the Olympic Valley Public Service District Community Room will not be accessible to the public for this Board meeting. The meeting will be accessible via teleconference only. Public comments will be accepted by the Board and should be submitted to the Board Secretary at info@ovpsd.org, by mail at P.O. Box 2026, Olympic Valley, California 96146 (the final mail collection will be the day before the meeting at 2:00 p.m.), and via teleconference on any item on the agenda until the close of public comment on the item. The public will be allowed to speak on any agenda item as it is considered, which may not be taken in the order stated herein. Times, where provided, are approximate only. The District's Board of Directors may take formal action on any item.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Board Secretary at 530-583-4692 at least 48 hours preceding the meeting.

Documents presented for an open session to the governing body after distribution of the agenda packet are available for public inspection at the District office during normal District business hours and at the meeting.

- A. Call to Order, Roll Call & Pledge of Allegiance.**
- B. Public Comment / Presentation.** Members of the public may address the board on items not on this agenda for up to three minutes; however, any matter that requires action by the governing body will, unless an emergency exists, be referred to staff for a report and possible action at a subsequent Board meeting.
- C. Adopt Resolution 2022-01 Authorizing Virtual Public Meetings.**
Proposed Action: Review item, accept public comment and adopt Resolution 2022-01 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 Bodies of the Olympic Valley Public Service District for the Period January 24, 2022 to February 23, 2022 Pursuant to Brown Act Provisions.
- D. Adjourn.**



OLYMPIC VALLEY PUBLIC SERVICE DISTRICT



EXHIBIT C
4 Pages

VIRTUAL PUBLIC MEETINGS

DATE: January 24, 2022

TO: District Board Members

FROM: Jessica Asher, Board Secretary

SUBJECT: Adoption of Resolution 2022-01 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 Bodies of the Olympic Valley Public Service District for the period January 24, 2022 to February 23, 2022 Pursuant to Brown Act Provisions.

BACKGROUND: Assembly Bill 361, introduced in February 2021 by Assembly Member Robert Rivas (D-30, Hollister), sponsored by the California Special Districts Association (CSDA), and signed by Governor Newsom on September 16th, provides local agencies with the ability to meet remotely during proclaimed state emergencies under modified Brown Act requirements, similar in many ways to the rules and procedures established by the Governor's Executive Orders N-25-20, N-29-20, N-35-20, which sunset September 30, 2021.

Consistent with requirements of AB 361, the District must make certain findings, which are set forth in Resolution 2022-01, primarily (a) state or local officials recommend measures to promote social distancing, or that (b) an in-person meeting would constitute an imminent risk to the safety of attendees. The resolution authorizes remote teleconference meetings for the next thirty (30) days, after which a subsequent resolution must be adopted to allow the District to meet remotely via teleconference.

DISCUSSION: Staff believes that due to the current community case rates and transmission of SARS-CoV-2, meeting in-person causes risk to attendees and District Operations beyond the control of services, personnel, equipment, and facilities of the District and recommends that the Board Adopt Resolution 2022-01 authorizing remote teleconference meetings for the next thirty (30) days.

ALTERNATIVES: 1. Adopt Resolution 2022-01.

2. Do not adopt Resolution 2022-01 and do not allow the option to meet via teleconference for the next thirty (30) days.

FISCAL/RESOURCE IMPACTS: No direct impacts, however, there are financial and resource impacts if personnel contract COVID-19.

RECOMMENDATION: Adopt Resolution 2022-01.

ATTACHMENTS: Resolution 2022-01

DATE PREPARED: January 14, 2022

RESOLUTION 2022-01

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OLYMPIC VALLEY PUBLIC SERVICE DISTRICT PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ORDER DATED MARCH 4, 2020 AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF OLYMPIC VALLEY PUBLIC SERVICE DISTRICT FOR THE PERIOD JANUARY 24, 2022 – FEBRUARY 23, 2022 PURSUANT TO BROWN ACT PROVISIONS.

WHEREAS, the Olympic Valley Public Service District is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings Olympic Valley Public Service 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, the State of Emergency declared by Governor Newsom on March 4, 2020, due to COVID-19; and

WHEREAS, due to the community case rates of SARS-CoV-2, meeting in person would present imminent risk to the health and safety of attendees; and

WHEREAS, the Board of Directors does hereby find that the increased transmission of SARS-CoV-2, and, conditions causing imminent risk to attendees 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 and ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency, the Board of Directors does hereby find that the legislative bodies of Olympic Valley Public Service District 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 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 ensured its virtual meeting protocols include options for public access and participation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Olympic Valley Public Service District 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 hereby proclaims that a local emergency now exists throughout the District, and causing 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 staff and legislative bodies of Olympic Valley Public Service District 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) February 18, 2022, 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 bodies of Olympic Valley Public Service District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED this 24th day of January, 2022, at a special meeting of the Olympic Valley Public Service District Board of Directors duly called and held by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: _____
Bill Hudson, Board Vice-President

ATTEST: _____
Jessica Asher, Board Secretary



OLYMPIC VALLEY PUBLIC SERVICE DISTRICT



AFFIDAVIT OF POSTING

Name of Meeting(s): Special, Regular + Finance

Date of Meeting(s): 1/24/22, 1/25/22 + 1/24/22

I, J.Asher certify that we (JA/NW) posted the agenda for the above meeting(s) in two (2) conspicuous places located within the boundaries of the Olympic Valley Public Service District.

The posting locations were:

1. District Office at 305 Squaw Valley Road (by: NW at 11:15 on: 1/21)
2. Squaw Valley Post Office at 1600 Squaw Valley Road (by: NW at 3:15 on: 1/20)
3. Online Posting and Distribution (by: JA at 12:20 on: 1/21)

The posting was accomplished on 1/21/22 at 12:20pm.

I declare under penalty of perjury that the above statements are true and correct.

Executed in Olympic Valley, California on 1/21/22.

Jessica Asher, Board Secretary