



**RECLAMATION  
DISTRICT BOARD**

**Mark Young**  
President

**Page Baldwin Jr.**  
Trustee

**Matt Gause**  
Trustee

**Richard Harris**  
Trustee

**Marshall Cook**  
Trustee

## **AGENDA**

**Special Meeting of the  
Reclamation District 2084  
Board of Trustees  
Monday, December 12th, 2022  
8:30 am**

### **NOTICE TO THE PUBLIC**

#### **MODIFIED BROWN ACT REQUIREMENTS IN LIGHT OF A DECLARED STATE OF EMERGENCY**

In Compliance with Government Code section 54953(e) added by Assembly Bill 361, members of the Board of Trustees and members of the public will participate in this meeting by teleconference. The video conferencing and call-in information for the Board of Trustees and the public is as follows:

Meeting Link (via Microsoft Teams):

[Click here to join the meeting](#)

Call in:

1-469-294-4078

Meeting number/access code: 956-229-673#

Any member of the public appearing virtually may speak during Public Comment. The Board of Trustees anticipates conducting all meetings in this manner until further notice. During this period of modified Brown Act Requirements, Reclamation District No. 2084 will use best efforts to swiftly resolve requests for reasonable modifications or accommodations with individuals with disabilities, consistent with the Americans with Disabilities Act, and resolving any doubt whatsoever in favor of accessibility.

#### **1. Call to Order**

#### **2. Roll Call and Opening Remarks**

#### **3. Modified Brown Act (Action Item)**

- a. Consider resolution FY2022/2023-8 proclaiming a local emergency persists, re-ratifying the COVID-19 state of emergency, and re-authorizing remote teleconference meetings.

Enclosure 1: Agenda Item 3.a – Resolution FY2022/2023-8

#### **4. Public Comment (New Business)**

This is an opportunity for members of the public to directly address the Board on subject matter not on the agenda within the jurisdiction of the Board.

#### **5. Agenda Approval**

#### **6. Adjourn**

- a. The next regular Board meeting is January 5<sup>th</sup>, 2023.

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- Any documents related to agenda items that are made available to the Board before the meeting will be available for review by the public by contacting [info@rd2084.org](mailto:info@rd2084.org).
  - If you need reasonable accommodation due to a disability, please contact [info@rd2084.org](mailto:info@rd2084.org) at least 48 hours in advance of the meeting. This contact information may also be used for any questions you may have.
  - Public comments are generally limited to three (3) minutes but may be more or less at the discretion of the Board.
  - The Board may consider the agenda items listed above in a different order at the meeting, pursuant to the determination of the Board Chair. All items appearing on this agenda, whether or not listed expressly for action, may be deliberated upon and subject to action at the discretion of the Board.

# **ENCLOSURE 1**

**AGENDA ITEM 3.a**

**RECLAMATION DISTRICT NO. 2084**

**RESOLUTION NO. 2022/23 - 8**

**PROCLAIMING A LOCAL EMERGENCY PERSISTS, RE-RATIFYING THE COVID-19 STATE OF EMERGENCY, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF RECLAMATION DISTRICT 2084 PURSUANT TO THE RALPH M. BROWN ACT.**

WHEREAS, RECLAMATION DISTRICT 2084 (RD 2084) is committed to preserving and nurturing public access and participation in meetings of the Board of Trustees; and

WHEREAS, all meetings of the RD 2084 are open and public, as required by the Ralph M. Brown Act (Gov. Code, §§ 54950 – 54963) (“Brown Act”), so that any member of the public may attend, participate, and watch the District’s legislative body conduct its business; and

WHEREAS, Assembly Bill 361 added Government Code section 54953(e) to make 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, the Board of Trustees previously adopted a Resolution, number 2021/22-1 on October 7, 2021, finding that the requisite conditions exist for 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 Trustees must reconsider the circumstances of the state of emergency that exists in the District, and the Board of Trustees has done so; and

WHEREAS, such conditions persist in the District, specifically, the March 4, 2020 State of Emergency Proclamation remains active in California due to the threat of COVID-19; and

WHEREAS, the Board of Trustees does hereby find that the ongoing risk posed by the highly transmissible COVID-19 virus 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

WHEREAS, as a consequence of the local emergency persisting, the Board of Trustees does hereby find that the District shall continue to conduct its meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that the Board 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, all meeting agendas, meeting dates, times, and manner in which the public may participate in the public meetings of the District and offer public comment by telephone or internet-based service options including video conference will continue to be posted on the District website and physically outside of the District office.

NOW, THEREFORE, THE BOARD OF TRUSTEES OF RECLAMATION DISTRICT 2084 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. Affirmation that Local Emergency Exists. The Board has reconsidered the conditions of the state of emergency and proclaims that a local emergency persists throughout the District because the high risk of transmissibility of COVID-19 continues to pose an imminent risk to the safety of persons in the District.

Section 3. Re-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. District staff 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) January 11th, 2023, or such time the Board of Trustees adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Trustees of RECLMATION DISTRICT 2084, this \_\_\_\_ day of \_\_\_\_\_, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN: