

RESOLUTION NO. 22-340  
June 15, 2022

A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE MISSION HILLS COMMUNITY SERVICES DISTRICT MAKING  
FINDINGS IN ACCORDANCE WITH AB 361 AND GOVERNMENT  
CODE SECTION 54953(e), AUTHORIZING THE CONTINUANCE OF REMOTE  
TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF THE  
MISSION HILLS COMMUNITY SERVICES DISTRICT

WHEREAS, on March 4, 2020 Governor Newsom declared a State of Emergency in the State of California pursuant to Government Code Section 8625 as a result of the threat of the Coronavirus (COVID-19) pandemic; and

WHEREAS, on September 16, 2021 Governor Newsom signed AB 361, which added subsection (e) to Government Code section 54953 of the Brown Act, and makes provision 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 of Government Code Section 54953(e) 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, there has been a significant increase in COVID-19 cases in Santa Barbara County due primarily to the BA.2 variant of SARS-CoV-2, the virus that causes COVID-19. Evidence indicates that the BA.2 variant is highly transmissible and that even fully vaccinated individuals can spread the virus to others; and

WHEREAS, on April 20, 2022, the Board of Directors adopted Resolution 22-338, finding that the requisite conditions exist for the legislative bodies of the Mission Hills Community Services District to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

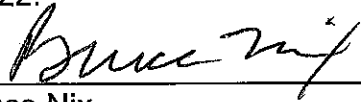
WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board of Directors must reconsider the circumstances of the State of Emergency that exists in the District, and the Board of Directors has done so; and

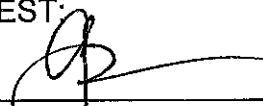
WHEREAS, the Board of Directors now desires to adopt a Resolution finding that the requisite conditions exist for the legislative bodies of the Mission Hills Community Services District, as defined in the Brown Act, to continue to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953.


NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Mission Hills Community Services District as follows:

1. The above recitals are true, correct and are incorporated herein by this reference.
2. In accordance with the requirements of Government Code Section 54953(e)(3), the Board of Directors of the Mission Hills Community Services District hereby finds and determines that it has reconsidered the circumstances of the State of Emergency and that the State of Emergency continues to exist and to directly impact the ability of the members to meet safely in person due to the COVID-19 pandemic, and its continued spread in Santa Barbara County through the BA.2 variant of SARS-CoV-2, which is highly transmissible, and that even fully vaccinated individuals can spread the virus to others, and therefore holding meetings in person would present imminent risks to the health or safety of attendees.
3. The General Manager and legislative bodies of the Mission Hills Community Services District are hereby authorized and directed to continue to take all actions necessary to carry out the intent and purpose of this Resolution, including continuing to conduct open and public remote teleconferencing meetings in accordance with the requirements of Government Code section 54953(e) and other applicable provisions of the Brown Act.
4. This Resolution shall take effect immediately upon its adoption and shall be effective for thirty (30) days after its adoption, subject to being extended for an additional 30 day period by the Board of Directors adoption of a subsequent resolution in accordance with Government Code section 54953(e)(3) to further extend the time during which the legislative bodies of the Mission Hills Community Services District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of Government Code section 54953.

Resolution No. 22-340 was adopted at a Regular Meeting of the Mission Hills Community Services District on June 15, 2022.

  
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Bruce Nix  
President, Board of Directors

ATTEST:  
  
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Guadalupe Huitron, Board Secretary

APPROVED AS TO FORM:  
  
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Timothy J. Carmel, District Counsel