

## **RESOLUTION NO. 5**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MONTECITO GROUNDWATER BASIN GROUNDWATER SUSTAINABILITY AGENCY ACKNOWLEDGING A LOCAL EMERGENCY EXISTS, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY EXECUTIVE ORDER, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODY OF MONTECITO GROUNDWATER BASIN GROUNDWATER SUSTAINABILITY AGENCY PURSUANT TO RALPH M. BROWN ACT PROVISIONS.**

WHEREAS, Montecito Groundwater Basin Groundwater Sustainability Agency (GSA) is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, the GSA is authorized under SGMA to sustainably manage the Montecito Groundwater Basin (Basin), including the development and implementation of a Groundwater Sustainability Plan [Water Code §10727]; and

WHEREAS, all meetings of the GSA'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 GSA'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 extreme peril to the safety of persons and property within the state as described in Government Code section 8558 caused by natural, technological or human conditions; and

WHEREAS, such conditions now exist in the State of California, generally and in the jurisdiction of the GSA, specifically, as established by a State of Emergency declaration issued by Governor Gavin Newsom on March 4, 2020 which is still in force and effect; and

WHEREAS, based on the existing State of Emergency declaration issued by Governor Gavin Newsom of the State of California, and Santa Barbara County Public Health Department orders issued on August 6, 2021 and September 5, 2021 respectively, these authorities find that meeting in person would present imminent risk to health and safety of attendees by creating conditions that could cause and/or contribute to the spread of COVID 19; and

WHEREAS, the GSA has taken measures to ensure meeting access for the public via the Zoom platform, including electronic and telephonic access.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF MONTECITO GROUNDWATER BASIN GROUNDWATER SUSTAINABILITY AGENCY 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. Acknowledgement of Local Emergency. The Board hereby finds that a local emergency exists throughout the jurisdiction of the GSA, based on the existing State of Emergency declaration issued by Governor Gavin Newsom of the State of California, and Santa Barbara County Public Health Department Orders issued on August 6, 2021 and September 5, 2021, and that these authorities find that meeting in person would present imminent risk to health and safety of attendees by creating conditions that could cause and/or contribute to the spread of the COVID 19;

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 General Manager and legislative bodies of the GSA 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. The legislative bodies of the GSA shall, in the discretion of the Board, conduct meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953 and shall provide the public with access to meetings as prescribe in paragraph (2) of subdivision (e) of section 54953.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) November 11, 2021, or such time the Board of Directors takes subsequent action by resolution or motion in accordance with Water Code section 30523 and Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the GSA may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the by the Governing Board of the MONTECITO GROUNDWATER BASIN GROUNDWATER SUSTAINABILITY AGENCY on the 12th day of October 2021 by the following roll call vote:

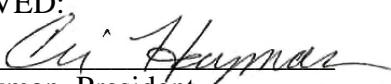
AYES: Directors Goebel, Hayman, Plough, and Wicks

NOES: None

ABSENT: Director Coates

ABSTAIN: None

APPROVED:

  
Cori Hayman, President

ATTEST:

  
Nick Turner, Secretary