

ADVISORY BOARD OF DIRECTORS

AGENDA

Regular Monthly Meeting
Tuesday, October 12, 2021 at 6 pm



Due to the State of California’s shelter in place orders our Advisory Board of Directors Meeting will be held remotely via Zoom Meetings (The Zoom platform is ADA compliant).

Due to the current closure of the district office, meeting materials may be obtained online at MORPD.com.

The public may attend and make a public comment by visiting:

<https://us02web.zoom.us/j/83449701303?pwd=K1VxanM2ODNpWkxSaWFGMDhUNUY5Zz09>

Meeting ID: 834 4970 1303, Passcode: 691155

You may also call in to 1-669-900-9128 (*long distance rates may apply*)

At the beginning of the remote meeting the Board Clerk will ask if anyone wishes to comment on either a specific agenda item or an item not on the agenda but within the jurisdiction of the board. If you need assistance or have questions, please call Debra Tierney at 916-359-1601 prior to 4 pm.

Call to Order: 6 pm

Pledge of Allegiance:

Roll Call:

Chairperson’s Comments:

Board Comments/Discussion:

Public Comment: Members of the public may address the Board on District topics not listed on this agenda. It is a violation of state law for the Board to discuss or act on non-agenda items. Board members may only briefly ask clarifying questions or refer matters to staff. Speakers are limited to three (3) minutes.

****Denotes agenda items with attached information***

Consent:

1. Approval of September 14, 2021 Regular Board Meeting Minutes *

Information:

2. Mission Oaks Recreation and Park District Park Patrol Reports for September 2021 from Fulton El Camino Police, Sacramento County Sheriff Off Duty Patrol and Tiger Security *
3. Monthly Budget Reports, August 1-31, Period 2, FY 2021-22 *
4. Administrative Division Report *
5. Recreation Division Report *
6. Parks Division Report *
7. Photos of Interest *

Advisory Board Members

Chairperson Jeff Rothberg
Member Michael Alcalay

Clerk Robert Evans
Member Pati Todd

Discussion:

8. Park tour

Action:

- 9. Approve Resolution 2021-08 authorizing remote teleconference meetings for October 1-31, 2021 *
- 10. Approve Five Priorities Identified for the County's FY 2022-23 budget *

Staff Comments/Reports:

Next Regular Meeting: Tuesday, November 9, 2021. As of the date of this notice, social distancing measures are in effect due to the COVID-19 pandemic. Parties interested in participating in the public hearing should visit the District's website at <https://www.morpd.com/advisory-board-meetings> for current information on how to provide public comment.

Mission Oaks Recreation and Park District does not discriminate against persons with disabilities and offers an accessible facility. If you wish to attend this meeting and will require assistance to participate, please contact Debra Tierney at 916-359-1601 no later than 24 hours prior to the meeting.

This agenda was posted and available for public review at the District Office, 3344 Mission Avenue, Carmichael, CA 95608; at Mission Oaks Community Center, 4701 Gibbons Dr., Carmichael, CA 95608; and at Swanston Community Center, 2350 Northrop Way, Sacramento, CA 95825 at least 72 hours in advance of the Regular Meeting, in accordance with the Ralph M. Brown Act. The agenda is also available online at MORPD.com. *Signed October 8, 2021, Debra Tierney, Clerk of the Board.*

Advisory Board Members

Chairperson Jeff Rothberg
Member Michael Alcalay

Clerk Robert Evans
Member Pati Todd



**Advisory Board of Directors
Regular Meeting Minutes
Wednesday, September 14, 2021 at 5:30 pm
Via Zoom Meeting ID 861 8310 1703**

- Call to Order:** 5:31 pm by Chairperson Rothberg.
- Pledge of Allegiance:** Announced by Chairperson Rothberg.
- Roll Call:**
- MORPD Directors Present:** Rothberg, Evans, Todd and Alcalay.
- MORPD Staff Present:** Barton, Hichborn, Woodland, Tierney, Ballis, Friedrich, Curtola, Dahlberg, Hawthorne and Rhea
- Public Present:** Cher Hill
- Chairperson's Comments:** District staff held an Employee Recognition, taking time to recognize staff. During COVID-19 Advisory Board meeting time was changed to 5:30 pm, there is a request to change it back to 6 pm. All members agree to change the meetings back to 6 pm on October 12.
- Board Comments/Discussion:** Director Todd and Evans want to be sure everyone saw the article in Supervisor Desmond's newsletter about our own Lisa Davis, Hero of the Month award.
- Announcement by Chairperson:** Members of the public may address the Board on District topics not listed on this agenda. It is a violation of state law for the Board to discuss or act on non-agenda items. Board members may only briefly ask clarifying questions or refer matters to staff. Speakers are limited to three (3) minutes.
- Public Comment:** None.
- Consent:**
1. Approval of August 4, 2021 Regular Board Meeting Minutes.
- Action:** After discussion, on a Motion by Director Evans, seconded by Director Todd, the Advisory Board of Directors voted to approve the Consent item. A roll call vote was taken. Directors Rothberg, Evans, Todd and Alcalay approve the motion.

Information:

STAFF REPORT



DATE: October 5, 2021
 TO: MORPD Advisory Board of Directors
 FROM: J.R. Hichborn, Parks Superintendent
 SUBJECT: FEC Park Patrol Reports for September 2021

Fulton El Camino Park Police Patrol Logs



Ashton, Cowan, Maddox, Oak Meadow, Sierra Oaks, Valley Oak and Windemere Park

No issues in September.

Eastern Oak Park

FEC officers were called for service (1) time in the month of September for juveniles fighting in the park. Upon arrival, officers could not identify the aggressor and all parties involved left the park.

FEC officers issued (1) warning in the month of September for an off-leash dog.

Gibbons Park

FEC officers issued (4) notices to appear at Gibbons Park in the month of September, (1) for no insurance, (1) for reckless driving, (1) for driving with a suspended license and (1) driving without a license.

FEC officers issued (6) parking citations in the month of September; (3) for no current registration and (3) for not displaying two license plates.

Hazelwood Greens

FEC officers issued (1) warning at Hazelwood Greens in the month of September for an off-leash dog.

Mission North Park

FEC officers issued (2) notice to appears at Mission North Park in the month of September, (1) for petty theft and (1) for being in the park after hours.

There were (5) Parking citations issued in the month of September, (1) for not displaying two license plates and (4) for no current registration.

There were (9) warnings given out in the month of September (4) for picking up school children at the park. There is signage stating that Mission North park cannot be used as a school drop off/pick up. It becomes very dangerous when this occurs. (4) for being in the park after hours and (1) for not displaying two license plates.

Orville Wright Park

FEC officers issued (2) Warnings at Orville Wright Park in the month of September. (1) for an off-leash dog and (1) for being in the park after hours.

Shelfield Park

FEC officers issued (1) warning in the month of September for being in the park after hours.

Swanston Park

FEC officers issued (1) DUI arrest in the Month of September for driving under the influence of a controlled substance.

There were (6) Parking citations issued in the month of September. (6) were for no current registration and (1) for not displaying two license plates.

FEC officers issued (1) warnings in the month of September for no registration.

STAFF REPORT



DATE: October 5, 2021
TO: MORPD Advisory Board of Directors
FROM: J.R. Hichborn, Parks Superintendent
SUBJECT: Sacramento Sherriff Off Duty Patrol for September 2021



1500 Hours/09-17-2021/(Friday) Dutton:

Orville Wright Park

I advised two (2) guests about SCC for dogs on leashes at non-dog parks. They placed dogs on leashes without further incident.

1600 Hours/09-22-2021/(Wednesday) Dutton:

Swanston Park

Received a call for service from a resident in the apartment complex located on the west side of the park regarding a noise complaint of a group playing loud music inside of the park. I arrived on scene and did not hear any loud music, but there was a fairly large group. I advised the group of the noise complaint and the park was closing. The group gathered their property and left without incident.

1630 Hours/09-24-2021/(Friday) Dutton:

Ashton Park

While on routine patrol, I observed a silver sedan with trunk open parked in the parking lot with trash surrounding it. The vehicle was damaged, and parts were held together by tape. I then observed two (2) homeless subjects who appeared to be attempting to camp inside the park. After much discussion regarding park hours of operation and SCC they decided to leave on their own. I advised trespassing notice

0600 Hours/09-25-2021/(Saturday) Dutton:

Swanston Park

I made contact with a homeless white male adult who was attempting to take a shower in the sink. I advised him behavior was inappropriate.

STAFF REPORT



DATE: October 5, 2021
TO: MORPD Advisory Board of Directors
FROM: J.R. Hichborn, Parks Superintendent
SUBJECT: Tiger Security Patrol Report for September 2021



Officer Ryan Nelson has been assigned to the Mission Oaks patrol from Tiger security. The officer checks in at the District office every day at 3 pm. The officer has been instructed to focus on Mission North Park, Eastern Oaks Park, Swanston Park, Gibbons Park and Ashton Park.

Staff is working on getting business cards made up for the officer to pass out to park patrons who have any park related questions. Staff is working on potentially getting a car magnet made to put on the patrol vehicle to help better associate Tiger security with Mission Oaks. Along with the magnet, staff is working on getting a Mission Oaks patch made up for the same purpose as the car magnet.

Duties:

- The officer has been instructed to lock the Swanston tennis courts nightly due to issues of dog droppings being found on the courts every morning.
- The officer has been instructed to make sure that patrons leave Eastern Oak Park at dusk. The District was receiving several complaints of people in the park after dusk.
- The officer has been assisting the custodians lock up Swanston Park after they perform their custodial duties. One of the female custodians was attacked at Swanston Park a few months ago and having security there while she cleans the restrooms has been very much appreciated.
- The officer has been instructed to be very visible and pleasant as he walks the District facilities.

Incidents:

- No major incidents in the month of September
- Officer issued many warnings for dogs off leash
- Officer issued many warnings for people picking up their kids at Mission North Park



STAFF REPORT

DATE: October 5, 2021
TO: MORPD Advisory Board of Directors
FROM: Darren Woodland, Finance Manager
SUBJECT: Monthly Budget Reports, August 1-31, Period 2, FY 2021-22 *

FINDINGS:

(No correcting journal entries were necessary for this period)

Notable findings for the General Fund 336A:

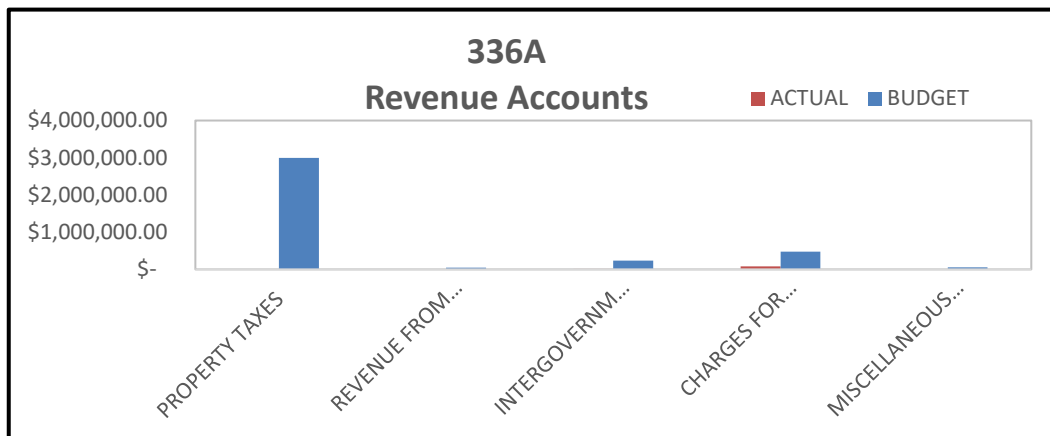
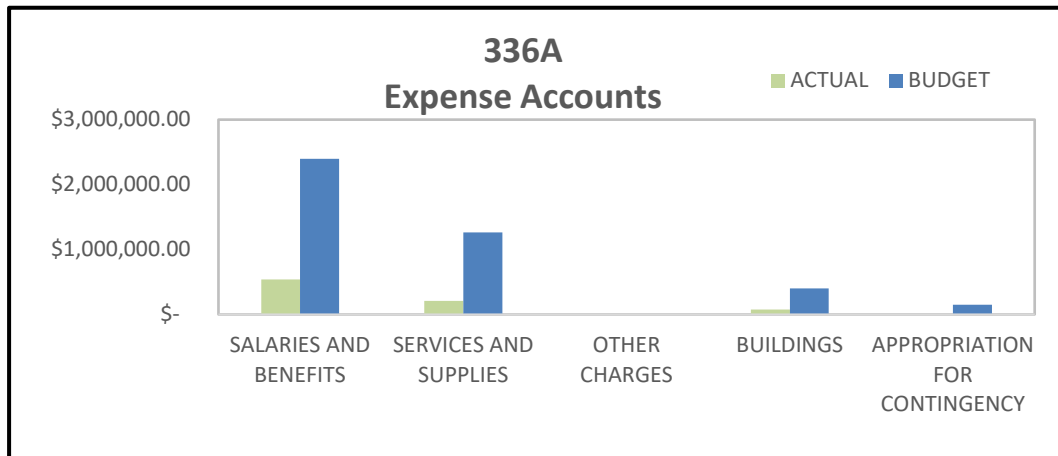
1. Mission Oaks Recreation and Park District has passed the budget for the FY 2021-22. The County of Sacramento has not updated the current year budget numbers. For this reason, the period 2 budget report reflects the recommended budget, rather than the adopted budget. As soon as the county updates these numbers, I will provide an updated budget report.



GENERAL FUND - 336A				
EXPENSES	BUDGET	ACTUAL	AVAILABLE	% USED
SALARIES AND BENEFITS	\$ 2,397,846.00	\$ 539,835.22	\$ 1,858,010.78	22.5%
SERVICES AND SUPPLIES	\$ 1,262,380.00	\$ 206,176.05	\$ 1,056,203.95	16.3%
OTHER CHARGES	\$ 2,000.00	\$ -	\$ 2,000.00	0.0%
BUILDINGS	\$ 400,000.00	\$ 76,187.70	\$ 323,812.30	19.0%
APPROPRIATION FOR CONTINGENCY	\$ 150,000.00	\$ -	\$ 150,000.00	0.0%
TOTAL EXPENSE	\$ 4,212,226.00	\$ 822,198.97	\$ 3,390,027.03	19.5%

REVENUES	BUDGET	ACTUAL	UNREALIZED	% EARN
PROPERTY TAXES	\$ 3,000,170.00	\$ -	\$ 3,000,170.00	0.0%
REVENUE FROM USE	\$ 47,500.00	\$ 4,675.00	\$ 42,825.00	9.8%
INTERGOVERNMENTAL REVENUE	\$ 234,452.00	\$ 10,179.48	\$ 224,272.52	4.3%
CHARGES FOR SERVICES	\$ 476,440.00	\$ 77,792.28	\$ 398,647.72	16.3%
MISCELLANEOUS REVENUE	\$ 55,000.00	\$ 1,382.14	\$ 53,617.86	2.5%
TOTAL REVENUE	\$ 3,813,562.00	\$ 94,028.90	\$ 3,719,533.10	2.5%

CARRYOVER BALANCE	\$ 398,664.00	\$ 398,664.00	\$ 329,506.07	100.0%
OVER/UNDER	\$ -	\$ -	\$ -	





COMMITMENT ITEM	BUDGET	ACTUAL	PENDING	AVAILABLE	% USED
10111000 FULL-TIME WAGES	\$ 1,221,726.00	\$ 215,320.59	\$ -	\$ 1,006,405.41	17.6%
10112100 PART-TIME WAGES	\$ 365,804.00	\$ 147,268.99	\$ -	\$ 218,535.01	40.3%
10112400 BOARD MEMBER	\$ 6,000.00	\$ 400.00	\$ -	\$ 5,600.00	6.7%
10113200 TIME/ONE HALF OT	\$ 1,000.00	\$ 60.10	\$ -	\$ 939.90	0.0%
10114300 ALLOWANCES	\$ 6,000.00	\$ 1,000.00	\$ -	\$ 5,000.00	16.7%
10121000 RETIREMENT	\$ 428,417.00	\$ 73,094.08	\$ -	\$ 355,322.92	17.1%
10122000 OASDHI	\$ 23,106.00	\$ 5,058.14	\$ -	\$ 18,047.86	21.9%
10123000 GROUP INSURANCE	\$ 239,234.00	\$ 37,058.76	\$ -	\$ 202,175.24	15.5%
10123002 DENTAL INSURANCE	\$ 31,284.00	\$ 3,792.00	\$ -	\$ 27,492.00	12.1%
10123003 LIFE INSURANCE	\$ 370.00	\$ 36.18	\$ -	\$ 333.82	9.8%
10123004 VISION INSURANCE	\$ 350.00	\$ 66.48	\$ -	\$ 283.52	19.0%
10124100 WORKER'S COMP	\$ 58,988.00	\$ 53,508.66	\$ -	\$ 5,479.34	90.7%
10125000 UNEMPLOYMENT - ACP	\$ -	\$ 3,171.24	\$ -	\$ (3,171.24)	0.0%
10125100 STATE UNEMPLOYMENT	\$ 15,567.00	\$ -	\$ -	\$ 15,567.00	20.4%
* 10 - SALARIES AND BENEFITS	\$ 2,397,846.00	\$ 539,835.22	\$ -	\$ 1,858,010.78	22.5%
20200500 ADVERTISING	\$ 2,850.00	\$ 95.00	\$ -	\$ 2,755.00	3.3%
20202100 BOOKS/PER SVC	\$ 150.00	\$ 39.98	\$ -	\$ 110.02	26.7%
20202200 BOOKS/PER SUP	\$ 500.00	\$ -	\$ -	\$ 500.00	0.0%
20202900 BUS/CONFERENCE E	\$ 5,500.00	\$ -	\$ -	\$ 5,500.00	0.0%
20203500 ED/TRAINING SVC	\$ 8,535.00	\$ 40.00	\$ -	\$ 8,495.00	0.5%
20203900 EMP TRANSPORTATION	\$ 3,075.00	\$ 514.90	\$ -	\$ 2,560.10	16.7%
20205100 INS LIABILITY	\$ 112,000.00	\$ 106,713.22	\$ -	\$ 5,286.78	95.3%
20206100 MEMBERSHIP DUES	\$ 9,120.00	\$ 4,160.33	\$ -	\$ 4,959.67	45.6%
20206500 MICROFILM SVC	\$ 100.00	\$ -	\$ -	\$ 100.00	0.0%
20206600 MICROFILM SUP	\$ 100.00	\$ -	\$ -	\$ 100.00	0.0%
20207600 OFFICE SUPPLIES	\$ 5,000.00	\$ 1,739.03	\$ -	\$ 3,260.97	34.8%
20208100 POSTAL SVC	\$ 11,500.00	\$ 135.11	\$ -	\$ 11,364.89	1.2%
20208500 PRINTING SVC	\$ 17,000.00	\$ 36.44	\$ -	\$ 16,963.56	0.2%
20211100 BLDG MAINT SVC	\$ 15,000.00	\$ -	\$ -	\$ 15,000.00	0.0%
20211200 BLDG MAINT SUP	\$ 11,050.00	\$ 868.87	\$ -	\$ 10,181.13	7.9%
20212200 CHEMICAL SUPPLIE	\$ 2,500.00	\$ 1,175.85	\$ -	\$ 1,324.15	47.0%
20213100 ELECT MAINT SVC	\$ 2,000.00	\$ -	\$ -	\$ 2,000.00	0.0%
20213200 ELECT MAINT SUP	\$ 2,300.00	\$ -	\$ -	\$ 2,300.00	0.0%
20214100 LAND IMP MAINT SVC	\$ 38,500.00	\$ 1,189.51	\$ -	\$ 37,310.49	3.1%
20214200 LAND IMP MAINT SUP	\$ 15,950.00	\$ 1,186.79	\$ -	\$ 14,763.21	7.4%
20215100 MECH SYS MAINT SVC	\$ 12,100.00	\$ 8,691.38	\$ -	\$ 3,408.62	71.8%
20215200 MECH SYS MAINT SUP	\$ 4,400.00	\$ 1,010.13	\$ -	\$ 3,389.87	23.0%
20216100 PAINTING SVC	\$ 1,000.00	\$ -	\$ -	\$ 1,000.00	0.0%
20216200 PAINTING SUP	\$ 2,500.00	\$ -	\$ -	\$ 2,500.00	0.0%
20216700 PLUMBING MAINT SVC	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00	0.0%
20216800 PLUMBING MAINT SUP	\$ 16,000.00	\$ 2,428.51	\$ -	\$ 13,571.49	15.2%
20217100 RENTS/LEASES/RL	\$ -	\$ 3,000.00	\$ -	\$ (3,000.00)	0.0%
20218500 PERMIT CHARGES	\$ -	\$ -	\$ -	\$ -	0.0%
20219100 ELECTRICITY	\$ 78,750.00	\$ 37.40	\$ -	\$ 78,712.60	0.0%
20219200 NAT GAS/LPG/FUEL	\$ 6,000.00	\$ -	\$ -	\$ 6,000.00	0.0%
20219300 REF COLL/DISP SV	\$ 16,750.00	\$ -	\$ -	\$ 16,750.00	0.0%
20219500 SEWAGE DISP SVC	\$ 8,750.00	\$ 712.88	\$ -	\$ 8,037.12	8.1%
20219700 TELEPHONE SVC	\$ 59,000.00	\$ -	\$ -	\$ 59,000.00	0.0%
20220500 AUTO MAINT SVC	\$ 8,000.00	\$ 283.60	\$ -	\$ 7,716.40	3.5%



COMMITMENT ITEM	BUDGET	ACTUAL	PENDING	AVAILABLE	% USED
20220600 AUTO MAINT SUP	\$ 3,400.00	\$ 593.31	\$ -	\$ 2,806.69	17.5%
20222600 EXPEND TOOLS	\$ 5,250.00	\$ 192.87	\$ -	\$ 5,057.13	3.7%
20222700 CELLPHONE/PAGER	\$ 7,000.00	\$ 200.00	\$ -	\$ 6,800.00	2.9%
20223600 FUEL/LUBRICANTS	\$ 19,000.00	\$ 760.55	\$ -	\$ 18,239.45	4.0%
20226200 OFFICE EQ MAINT	\$ 3,800.00	\$ 198.26	\$ -	\$ 3,601.74	5.2%
20226500 INVENTORIAL EQUIP	\$ 28,000.00	\$ -	\$ -	\$ 28,000.00	0.0%
20227500 RENT/LEASE EQUIP	\$ 22,300.00	\$ 981.65	\$ -	\$ 21,318.35	4.4%
20229100 OTHER EQ MAINT SVC	\$ 500.00	\$ 92.13	\$ -	\$ 407.87	18.4%
20229200 OTHER EQ MAINT SUP	\$ 3,000.00	\$ 60.31	\$ -	\$ 2,939.69	2.0%
20231300 UNIFORM ALLOW	\$ 9,800.00	\$ -	\$ -	\$ 9,800.00	0.0%
20231400 CLOTH/PERSONAL	\$ 3,600.00	\$ 2,536.53	\$ -	\$ 1,063.47	70.5%
20232100 CUSTODIAL SVC	\$ 84,700.00	\$ 5,800.00	\$ -	\$ 78,900.00	6.8%
20232200 CUSTODIAL SUP	\$ 14,700.00	\$ 3,001.91	\$ -	\$ 11,698.09	20.4%
20233200 FOOD/CATERING SUP	\$ 11,000.00	\$ 1,231.64	\$ -	\$ 9,768.36	11.2%
20234200 KITCHEN SUP	\$ 1,100.00	\$ -	\$ -	\$ 1,100.00	0.0%
20244400 MEDICAL SUPPLIES	\$ 800.00	\$ 409.64	\$ -	\$ 390.36	51.2%
20250500 ACCOUNTING SVC	\$ 2,700.00	\$ -	\$ -	\$ 2,700.00	0.0%
20250700 ASSESSMENT COLL	\$ 50,575.00	\$ -	\$ -	\$ 50,575.00	0.0%
20254100 PERSONNEL SVC	\$ 3,000.00	\$ 32.00	\$ -	\$ 2,968.00	1.1%
20254400 SAFETY PROGRAM	\$ 10,450.00	\$ -	\$ -	\$ 10,450.00	0.0%
20257100 SECURITY SVC	\$ 147,400.00	\$ 17,300.71	\$ -	\$ 130,099.29	11.7%
20259100 OTHER PROF SVC	\$ 27,000.00	\$ -	\$ -	\$ 27,000.00	0.0%
20281100 DATA PROCESSING SVC	\$ 20,000.00	\$ 2,942.82	\$ -	\$ 17,057.18	14.7%
20281200 DATA PROCESSING SUP	\$ 2,000.00	\$ -	\$ -	\$ 2,000.00	0.0%
20281201 HARDWARE	\$ 10,000.00	\$ 312.00	\$ -	\$ 9,688.00	3.1%
20281202 SOFTWARE	\$ 3,000.00	\$ 11,341.54	\$ -	\$ (8,341.54)	378.1%
20281304 SALES TAX	\$ 1,000.00	\$ -	\$ -	\$ 1,000.00	0.0%
20283101 FEES	\$ -	\$ -	\$ -	\$ -	0.0%
20285100 RECREATIONAL SVC	\$ 188,000.00	\$ 14,839.27	\$ -	\$ 173,160.73	7.9%
20285200 RECREATIONAL SUP	\$ 14,000.00	\$ 2,924.51	\$ -	\$ 11,075.49	20.9%
20285300 RECREATIONAL PROG	\$ 70,000.00	\$ 2,414.15	\$ -	\$ 67,585.85	3.4%
20287800 CREDIT CARD FEES	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00	0.0%
20288000 PY EXPEND	\$ 600.00	\$ -	\$ -	\$ 600.00	0.0%
20289800 OTHER OP EXP SUP	\$ 1,250.00	\$ -	\$ -	\$ 1,250.00	0.0%
20289900 OTHER OP EXP SVC	\$ 3,700.00	\$ -	\$ -	\$ 3,700.00	0.0%
20291500 COMPASS COSTS	\$ 3,775.00	\$ 3,951.32	\$ -	\$ (176.32)	104.7%
* 20 - SERVICES AND SUPPLIES	\$ 1,262,380.00	\$ 206,176.05	\$ -	\$ 1,056,203.95	16.3%
30345000 TAX/LIC/ASSESS	\$ 2,000.00	\$ -	\$ -	\$ 2,000.00	0.0%
* 30 - OTHER CHARGES	\$ 2,000.00	\$ -	\$ -	\$ 2,000.00	0.0%
42420100 BUILDINGS	\$ 257,000.00	\$ -	\$ -	\$ 257,000.00	0.0%
42420200 STRUCTURES	\$ 143,000.00	\$ 76,187.70	\$ -	\$ 66,812.30	53.3%
* 42 - BUILDINGS	\$ 400,000.00	\$ 76,187.70	\$ -	\$ 323,812.30	19.0%
79790100 CONTINGENCY APPR	\$ 150,000.00	\$ -	\$ -	\$ 150,000.00	0.0%
* 79 - APPROPRIATIONS	\$ 150,000.00	\$ -	\$ -	\$ 150,000.00	0.0%
** TOTAL EXPENDITURES	\$ 4,212,226.00	\$ 822,198.97	\$ -	\$ 3,390,027.03	19.5%



COMMITMENT ITEM	BUDGET	ACTUAL	PENDING	AVAILABLE	% USED
91910100 PROP TAX CUR SEC	\$ (2,756,720.00)	\$ -	\$ -	\$ (2,756,720.00)	0.0%
91910200 PROP TAX CUR UNS	\$ (94,000.00)	\$ -	\$ -	\$ (94,000.00)	0.0%
91910300 PROP TAX CUR SUP	\$ (66,000.00)	\$ -	\$ -	\$ (66,000.00)	0.0%
91910400 PROP TAX SEC DEL	\$ (20,000.00)	\$ -	\$ -	\$ (20,000.00)	0.0%
91910500 PROP TAX SUP DEL	\$ (3,500.00)	\$ -	\$ -	\$ (3,500.00)	0.0%
91910600 PROP TAX UNITARY	\$ (58,000.00)	\$ -	\$ -	\$ (58,000.00)	0.0%
91912000 PROP TAX REDEMPTION	\$ (100.00)	\$ -	\$ -	\$ (100.00)	0.0%
91913000 PROP TAX PR UNSE	\$ (1,500.00)	\$ -	\$ -	\$ (1,500.00)	0.0%
91914000 PROP TAX PENALTY	\$ (350.00)	\$ -	\$ -	\$ (350.00)	0.0%
* 91 - TAXES	\$ (3,000,170.00)	\$ -	\$ -	\$ (3,000,170.00)	0.0%
94941000 INTEREST INCOME	\$ (20,000.00)	\$ -	\$ -	\$ (20,000.00)	0.0%
94942900 BLDG RENTAL	\$ (27,500.00)	\$ (4,675.00)	\$ -	\$ (22,825.00)	17.0%
* 94 - REVENUE FROM USE	\$ (47,500.00)	\$ (4,675.00)	\$ -	\$ (42,825.00)	9.8%
95952200 HOME PROP TAX	\$ (26,500.00)	\$ -	\$ -	\$ (26,500.00)	0.0%
95953200 AID CO FUNDS	\$ (30,000.00)	\$ -	\$ -	\$ (30,000.00)	0.0%
95956900 STATE AID OTHER	\$ (177,952.00)	\$ (10,179.48)	\$ -	\$ (167,772.52)	5.7%
* 95 - INTERGOV REVENUE	\$ (234,452.00)	\$ (10,179.48)	\$ -	\$ (224,272.52)	4.3%
96964600 RECREATION SVC	\$ (446,440.00)	\$ (75,670.48)	\$ -	\$ (370,769.52)	16.9%
96969000 LEASE PROP USE	\$ (30,000.00)	\$ (2,121.80)	\$ -	\$ (27,878.20)	0.0%
* 96 - CHARGES FOR SERVICES	\$ (476,440.00)	\$ (77,792.28)	\$ -	\$ (398,647.72)	16.3%
97973000 DONATIONS	\$ (15,000.00)	\$ (154.67)	\$ -	\$ (14,845.33)	1.0%
97974000 INSURANCE PROCEEDS	\$ (20,000.00)	\$ (418.00)	\$ -	\$ (19,582.00)	2.1%
97979000 MISC. OTHER	\$ (20,000.00)	\$ (809.47)	\$ -	\$ (19,190.53)	4.0%
* 97 - MISC REVENUE	\$ (55,000.00)	\$ (1,382.14)	\$ -	\$ (53,617.86)	2.5%
** TOTAL REVENUES	\$ (3,813,562.00)	\$ (94,028.90)	\$ -	\$ (3,719,533.10)	2.5%
*** GRAND TOTAL	\$ 398,664.00	\$ 728,170.07	\$ -	\$ (329,506.07)	182.7%

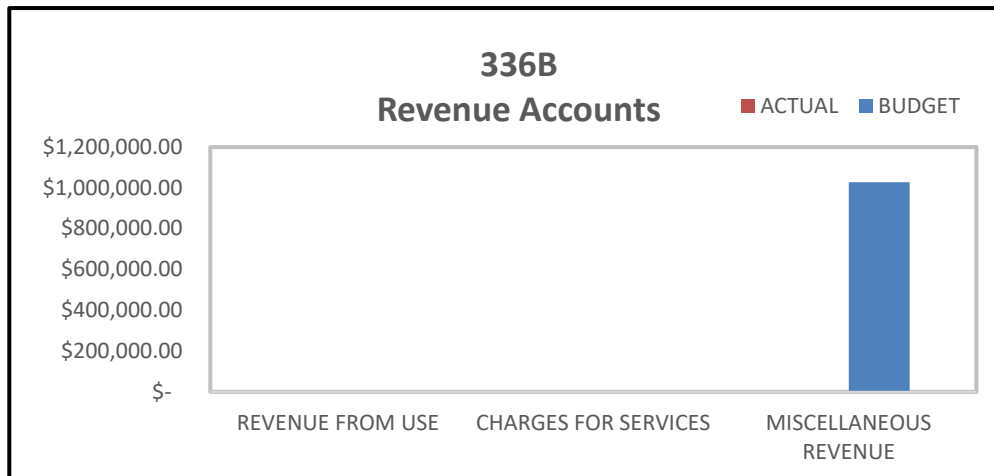
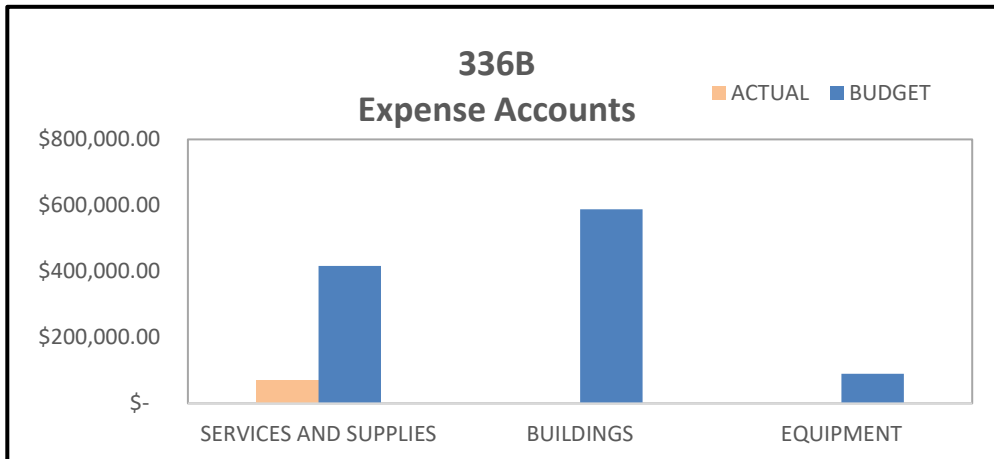


ASSESSMENT FUND - 336B				
EXPENSES	BUDGET	ACTUAL	AVAILABLE	% USED
SERVICES AND SUPPLIES	\$ 416,500.00	\$ 70,709.81	\$ 345,790.19	17.0%
BUILDINGS	\$ 588,500.00	\$ -	\$ 588,500.00	0.0%
EQUIPMENT	\$ 90,000.00	\$ -	\$ 90,000.00	0.0%
TOTAL EXPENSE	\$ 1,095,000.00	\$ 70,709.81	\$ 1,024,290.19	6.5%

REVENUES	BUDGET	ACTUAL	AVAILABLE	% EARN
REVENUE FROM USE	\$ 100.00	\$ -	\$ (100.00)	0.0%
CHARGES FOR SERVICES	\$ -	\$ 2,121.80	\$ 2,121.80	0.0%
MISCELLANEOUS REVENUE	\$ 1,027,346.00	\$ -	\$ 1,027,346.00	0.0%
TOTAL REVENUE	\$ 1,027,446.00	\$ 2,121.80	\$ 1,029,367.80	0.2%

CARRYOVER BALANCE	\$ 67,554.00	\$ 67,554.00	\$ 1,034.01	100.0%
--------------------------	---------------------	---------------------	--------------------	---------------

GRAND TOTAL	\$ -	\$ -	\$ -	
--------------------	-------------	-------------	-------------	--





YTD Budget Report
 Assessment Fund - 336B
 August 2021

Fiscal Year 2021-2022
 Period 2
 (17% of the Year Complete)

COMMITMENT ITEM	BUDGET	ACTUAL	PENDING	AVAILABLE	% USED
20210300 AGRI/HORT SVC	\$ 286,500.00	\$ 37,104.59	\$ -	\$ 249,395.41	13.0%
20210400 AGRI/HORT SUP	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00	0.0%
20219800 WATER	\$ 125,000.00	\$ 33,605.22	\$ -	\$ 91,394.78	26.9%
* 20 - SERVICES AND SUPPLIES	\$ 416,500.00	\$ 70,709.81	\$ -	\$ 345,790.19	17.0%
42420200 STRUCTURES	\$ 588,500.00	\$ -	\$ -	\$ 588,500.00	0.0%
* 42 - BUILDINGS	\$ 588,500.00	\$ -	\$ -	\$ 588,500.00	0.0%
43430100 EQUIPMENT-GOV'T	\$ 90,000.00	\$ -	\$ -	\$ 90,000.00	0.0%
* 43 - EQUIPMENT	\$ 90,000.00	\$ -	\$ -	\$ 90,000.00	0.0%
** TOTAL EXPENDITURES	\$ 1,095,000.00	\$ 70,709.81	\$ -	\$ 1,024,290.19	6.5%

COMMITMENT ITEM	BUDGET	ACTUAL	PENDING	AVAILABLE	% USED
94941000 INTEREST INCOME	\$ (100.00)	\$ -	\$ -	\$ (100.00)	0.0%
* 94 - REVENUE FROM USE	\$ (100.00)	\$ -	\$ -	\$ (100.00)	0.0%
95953200 AID CO FUNDS	\$ -	\$ -	\$ -	\$ -	0.0%
95956900 STATE AID OTHER	\$ -	\$ -	\$ -	\$ -	0.0%
* 95 - INTERGOV REVENUE	\$ -	\$ -	\$ -	\$ -	0.0%
96969000 LEASE PROP USE	\$ -	\$ (2,121.80)	\$ -	\$ 2,121.80	0.0%
* 96 - CHARGES FOR SERVICES	\$ -	\$ (2,121.80)	\$ -	\$ 2,121.80	0.0%
97976200 ASSESSMENT FEES	\$ (1,027,346.00)	\$ -	\$ -	\$ (1,027,346.00)	0.0%
* 97 - MISC REVENUE	\$ (1,027,346.00)	\$ -	\$ -	\$ (1,027,346.00)	0.0%
** TOTAL REVENUES	\$ (1,027,446.00)	\$ (2,121.80)	\$ -	\$ (1,025,324.20)	0.2%

*** GRAND TOTAL	\$ 67,554.00	\$ 68,588.01	\$ -	\$ (1,034.01)	101.5%
------------------------	---------------------	---------------------	-------------	----------------------	---------------

STAFF REPORT



DATE: October 5, 2021
TO: MORPD Advisory Board of Directors
FROM: Daniel Barton, District Administrator
SUBJECT: Administrative Division Report

STAFF TRAINING:

October 25-27 Shayne Hawthorne will be attending Board Secretary training offered by California Special Districts Association. Shayne will be assuming Board Secretary duties in November, so that Debra can focus full time on HR duties as previously planned.

EMPOWERMENT PARK UPDATE:

We recently received an updated budget review of our project, and due to rising costs of construction, our initial plan is coming in at two million over budget. We are looking at having the same amenities and reducing the scope of work and finding small ways to cut costs while keeping the initial plan intact. We will also be doing a scope of work with additions to the project if there is funding.

We are currently raising funds for this project; I have researched the ideas the Board gave at our last meeting and we have made a few connections with the Ronald Mc Donald House and Lyons Real Estate Development Company. These are only a few of the connections we are working on so there is hope we can raise additional funds.

BUDGET RESERVE WORKSHOP:

A Budget Reserve Workshop was requested by the Board at a previous meeting. Darren Woodland and I have been discussing this and putting some ideas together. I did have some questions as to what direction the Board would like to take with this. Do we want to create an Ad Hoc committee of two Board Members to work on this, to present to the entire Board later or do we want to have a special meeting with all Board Members? Would you like to hear from an outside 'professional' at this meeting? Thank you, in advance, for any guidance as this will be the first time for me running a "Reserve Workshop". I would like to make sure we get all the information you will need to help you with your decision.

PARK TOUR:

It is that time of year and we plan on having a Park Tour soon. The plan is to meet at specified times to each park we plan on touring. Everyone would be responsible for driving themselves to each destination. For anyone who would like to attend, we would love to hear some potential dates. We were hoping to do this early November.

STAFF REPORT



DATE: October 5, 2021

TO: MORPD Advisory Board of Directors

FROM: Recreation Managers Rodney Dahlberg and Danny Curtola

SUBJECT: Recreation Division Report

New Events, Partnerships and Upcoming Programs:

- **Elementary and Intermediate Sports**-Elementary Volleyball has 65 participants and five teams coming from Mission Oaks. Carmichael Park district also has five teams for a ten-team league. Intermediate Volleyball has 13 teams and over 140 participants. Games are played on Friday evenings at La Sierra Community Center. Intermediate Flag Football has seven teams with over 80 participants. Their games are played on Tuesdays and Thursdays at Arcade Middle School. This is the first year that we have had multiple boys and girls playing both flag football and volleyball. Parents have been thrilled with both the Elementary and Intermediate Volleyball programs and have been asking for a longer program. Staff has begun looking into the possibility of running a second season of volleyball in April and May.
- **San Juan Unified School District**-Staff met with the division heads of SJUSD facilities to clarify our MOU agreement terms and will be exploring more program opportunities on school campuses/fields including Sierra Oaks and Del Paso Manor.
- **Sacramento County Therapeutic Recreation**-We are developing a partnership with Sac County TR, currently operating out of La Sierra CC, to increase program and service opportunities in our community for people with disabilities. They will also assist in staff trainings to help our staff better accommodate children and individuals currently enrolled in our programs and camps.
- **Greatest of All Teen (GOAT Program)**-GOAT will continue in October with our next session and is already full with 10 teens.
- **eSports for teens**- eSports will be kicking off eSports game nights and tournaments starting with a Rocket League Tournament online on November 13, 2021 with scheduled tournaments and game nights between November and April 2022.
- **Upcoming Classes at our Community Centers**-Adding Paint n Sip Art classes, as well as new fitness and hip-hop classes for kids at the Swanston Center. Jackie's Dance Fitness and Zumba Gold.
- **Upcoming Services/Special Events**-
 - Halloween Spooktacular at Swanston Park/CC on October 28 6-8 pm

- Flu/Covid 19 vaccinations on Wednesday, October 20th at the Gibbons Community Center.
- **Fall Pre-School**-Kare Bare and Teddy Bear classes are running and are full. Each have waiting lists.

Athletic Field Rentals:

There are currently over 12 groups booked on our Athletic Fields/Courts including local Little Leagues, private and recreational soccer clubs, travel/youth/senior baseball teams, San Juan School sports teams, Tennis instructors and more. Staff are developing a more streamline system for Field Rentals which will improve our relationship with the users of our sports fields.

Current in-person activities/services:

- Kids Love Soccer at Shelfield Park currently has 87 youth enrolled.
- Ping Pong Club (adults) is full every day at 15-20 participants.
- After School Adventures (ASA) runs weekdays from 2:45-6pm and has 10 participants
- Pickleball Lessons continue. There is a total of 24 participants in the 3 classes.
- Qigong has 8 participants.
- Zumba Outdoor has 14 participants.
- Jazzercise class is running four (4) days per week in the morning and evenings at Swanston Community Center and has approximately 16-18 participants in each class.
- Zumba PM has 14 participants.
- Yoga has 13 participants.
- Line Dancing has 15 participants.
- Art 4 Fun has 4 participants
- Tai Chi (MOCC) has 6 participants.
- Silver Sneakers has 4 participants.
- Tennis Classes have 29 participants.
- Tennis Lessons are also offered by tennis Pro, Devin Knox, at Swanston and Sierra Oaks.
- Kare Bears is full with 21 participants and Teddy Bears full with 15 children enrolled.
- Tap Fit Beg/Int & Adv have 16 participants.
- Ballet class has 5 participants.
- Chair Yoga (adults) has two classes of 11 students each.
- Baby and Pre-Ballet (18 months-6 years) have 18 students.
- Ballroom Dance class has 9 participants.
- Restorative Yoga has 6 participants.
- Tuesday and Friday dances continue to average 130 dancers per week.
- CHP Age Well/Drive Smart safe driving classes average 15-20 participants per class.
- Drive through meals on wheels lunch program.
- Attorney Services at MOCC.
- Current MOCC Clubs: Ceramics, Magic, R.V., Monday Bridge, Cribbage, Cribbage for fun, Shuffleboard, Hiking Club, Stitchers, Golden Needlers, 49er Ski Club.

Current Virtual Classes:

- Floor, Core and More has 17 participants.
- Fun Fit For All has 29 participants.
- Strength and Conditioning has 13 participants.
- Writing your Memoirs has 23 participants.

Special Event Recaps:

- **Carmichael's Founders' Day**-On Saturday, September 25th, Dan Barton, Nicole Plumley and Rodney Dahlberg worked the Mission Oaks booth at the annual Carmichael's Founders' Day at Carmichael Park. We handed out information about upcoming classes and special events. Attendance was somewhat disappointing, and the number of booths was reduced. One positive note was the petting zoo that we supplied was a big hit with the children who attended.
- **Concert in the Park**-On Sunday, September 26th we held our annual Concert in The Park at Gibbons Park. The band "On Air" played a variety of classic rock songs to our concert goers. An estimated crowd of 300-400 people attended the event. Food was provided by Kona Ice and Pinorrito food trucks. Staff and Board Members in attendance were Riva Ballis, Dan Barton, Lisa Davis, Brandon Stoakley, Rodney Dahlberg, Board Member Jeff Rothberg and Board Member Patti Brown Todd.
- **Senior Resource Fair**-On Wednesday, September 29th we held our annual Senior Resource Fair at the Gibbons Community Center. 48 vendors which represented various senior, and health related businesses supplied information and free handouts to our attendees. Approximately 200-300 participants attended the event which ran from 9am -1pm. Donuts were available for purchase from Bad Bakers.

STAFF REPORT



DATE: October 5, 2021
 TO: MORPD Advisory Board of Directors
 FROM: J.R. Hichborn, Parks Superintendent
 SUBJECT: Parks Division Report

PARKS UPDATE:

Fall is upon us, and that means the leaves are falling off the tree limbs and exposing potential hazards. Park staff has been identifying and addressing these potential hazards at all the Parks. Pole saws are being used to remove fractured branches and then these branches are being chipped up on site. The chippings are being repurposed as mulch in open space areas to reduce unwanted vegetation.

Parks Lead Worker, Francisco Cuenca, was awarded a scholarship to the CPRS maintenance management school. This scholarship comes at a \$2,000 value. At the school Francisco will be developing a maintenance management system, learning components of a maintenance management plan, asset inventory, various service levels, personal budgets, and labor costs and much more. It is a huge opportunity for him, he is very excited to grow personally and professionally.

During the fall and winter months the irrigation team can focus more on irrigation projects and less on irrigation emergencies. This winter the team will be replacing sprinkler heads with low flow emitters, and valves with smart sensor valves to conserve water. The irrigation team will also be removing entire overhead spray systems and replacing them with drip irrigation in some areas.

The ADA sidewalk improvements have been completed at Oak Meadow. This was the last of this fiscal year's ADA improvement projects.

Six hundred yards of playground fiber was blown into six playgrounds to stay compliant with California's ASTM surfacing standards. The six playgrounds that received fiber are Gibbons, Shelfield, Swanston, Mission North, Windemere and Ashton.

The policing hours will decrease beginning October 1, except for private security. During the fall and winter months the District reduces its off-duty sheriff shifts to 2 nights per week and it's FEC hours about 40%.

UPCOMING PROJECTS:

Gibbons Park- Slurry and restripe the parking lots, resurface basketball courts, resurface, and repurpose the tennis courts, replace the HVAC system.

Cowan Park- Replace the playground.

Miscellaneous- Replace two District vehicles.

RECREATION PHOTOS



Afterschool Adventures



Greatest Of All Teens



Work, work, work



GOAT Teens hard at work



Gibbons Concert 9/26



On Air Band performing at
Gibbons



Mission Oaks Fall Flag Football



Petting Zoo at Carmichael Founders Day



MOCC Senior Resource Fair

STAFF REPORT



DATE: October 5, 2021

TO: Advisory Board of Directors

FROM: Daniel Barton, District Administrator

SUBJECT: Approve Resolution 2021-08 authorizing remote teleconference meetings for October 1-31, 2021

BACKGROUND/DISCUSSION:

In the last week of September, the Governor has rescinded the Executive Order N-25-20 ([attachment 1](#)) related to suspension of some of the provisions of the Brown Act, effective October 1, 2021. In its place, the legislature passed AB 361 ([attachment 2](#)) which extended some of these provisions. To take advantage of the AB 361, the Governor has offered a compromise that during a State of Emergency, the Advisory Board has the option to conduct meetings using the flexibility afforded by the Act.

California and the District remains under the Governor's Emergency Declaration due to COVID-19. Other declarations exist in areas devastated by wildfires, but not applicable to MORPD. The Health Office of the County of Sacramento, also issued an Order on July 29, 2021 effective July 30, 2021, based on findings that the average daily incident case rate has increased exponentially demonstrated in testing positivity rates and hospitalizations from COVID-19 in Sacramento County. The significantly more transmissible Delta variant of the SARS-CoV-2 virus has become the predominant strain.

To apply the provisions of AB 361 for meetings after September 30, 2021, the Advisory Board must adopt an Initial Resolution ([attachment 3](#)). Subsequent Resolutions will come before you at your regular monthly meetings to extend these provisions for as long as the Emergency exists and/or January 1, 2024, unless extended further. Staff plans to include the subsequent Resolutions to the Consent Items each month for the duration of the State of Emergency.

Here are the provisions of AB 361 which apply, as follows:

- Option of participating from a remote location within or outside MORPD boundaries;
- Option of conducting a meeting with/without board members present in-person; otherwise, a quorum would have to attend in-person;
- Due to plans to host a hybrid format, posting the Agenda of the primary location and Zoom connection link only; not the location of board members participating remotely;

- The board members would not have to post the Agenda at their location nor invite public participation in their remote location.

STAFF RECOMMENDATION:

Staff recommends that the Advisory Board adopt Resolution #2021-08, ratifying the Governor's Proclamations that State and Local Emergencies exist throughout the State and District; and authorizing remote teleconference meetings of the Advisory Board of Directors of the Mission Oaks Recreation and Park District for the period October 1, 2021 to October 31, 2021, pursuant to the Brown Act provisions.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

Attachment 1

EXECUTIVE ORDER N-25-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS despite sustained efforts, the virus remains a threat, and further efforts to control the spread of the virus to reduce and minimize the risk of infection are needed; and

WHEREAS state and local public health officials may, as they deem necessary in the interest of public health, issue guidance limiting or recommending limitations upon attendance at public assemblies, conferences, or other mass events, which could cause the cancellation of such gatherings through no fault or responsibility of the parties involved, thereby constituting a force majeure; and

WHEREAS the Department of Public Health is maintaining up-to-date guidance relating to COVID-19, available to the public at <http://cdph.ca.gov/covid19>; and

WHEREAS the State of California and local governments, in collaboration with the Federal government, continue sustained efforts to minimize the spread and mitigate the effects of COVID-19; and

WHEREAS there is a need to secure numerous facilities to accommodate quarantine, isolation, or medical treatment of individuals testing positive for or exposed to COVID-19; and

WHEREAS, many individuals who have developmental disabilities and receive services through regional centers funded by the Department of Developmental Services also have chronic medical conditions that make them more susceptible to serious symptoms of COVID-19, and it is critical that they continue to receive their services while also protecting their own health and the general public health; and

WHEREAS individuals exposed to COVID-19 may be temporarily unable to report to work due to illness caused by COVID-19 or quarantines related to COVID-19 and individuals directly affected by COVID-19 may experience potential loss of income, health care and medical coverage, and ability to pay for housing and basic needs, thereby placing increased demands on already strained regional and local health and safety resources such as shelters and food banks; and

WHEREAS in the interest of public health and safety, it is necessary to exercise my authority under the Emergency Services Act, specifically Government Code section 8572, to ensure adequate facilities exist to address the impacts of COVID-19; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567, 8571 and 8572, do hereby issue the following order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. All residents are to heed any orders and guidance of state and local public health officials, including but not limited to the imposition of social distancing measures, to control the spread of COVID-19.
2. For the period that began January 24, 2020 through the duration of this emergency, the Employment Development Department shall have the discretion to waive the one-week waiting period in Unemployment Insurance Code section 2627(b)(1) for disability insurance applicants who are unemployed and disabled as a result of the COVID-19, and who are otherwise eligible for disability insurance benefits.
3. For the period that began January 24, 2020 through the duration of this emergency, the Employment Development Department shall have the discretion to waive the one-week waiting period in Unemployment Insurance Code section 1253(d) for unemployment insurance applicants who are unemployed as a result of the COVID-19, and who are otherwise eligible for unemployment insurance benefits.
4. Notwithstanding Health and Safety Code section 1797.172(b), during the course of this emergency, the Director of the Emergency Medical Services Authority shall have the authority to implement additions to local optional scopes of practice without first consulting with a committee of local EMS medical directors named by the EMS Medical Directors Association of California.
5. In order to quickly provide relief from interest and penalties, the provisions of the Revenue and Taxation Code that apply to the taxes and fees administered by the Department of Tax and Fee Administration, requiring the filing of a statement under penalty of perjury setting forth the facts for a claim for relief, are suspended for a period of 60 days after the date of this Order for any individuals or businesses who are unable to file a timely tax return or make a timely payment as a result of complying with a state or local public health official's imposition or recommendation of social distancing measures related to COVID-19.
6. The Franchise Tax Board, the Board of Equalization, the Department of Tax and Fee Administration, and the Office of Tax Appeals shall use their administrative powers where appropriate to provide those individuals and businesses impacted by complying with a state or local public health official's imposition or recommendation of social

distancing measures related to COVID-19 with the extensions for filing, payment, audits, billing, notices, assessments, claims for refund, and relief from subsequent penalties and interest.

7. The Governor's Office of Emergency Services shall ensure adequate state staffing during this emergency. Consistent with applicable federal law, work hour limitations for retired annuitants, permanent and intermittent personnel, and state management and senior supervisors, are suspended. Furthermore, reinstatement and work hour limitations in Government Code sections 21220, 21224(a), and 7522.56(b), (d), (f), and (g), and the time limitations in Government Code section 19888.1 and California Code of Regulations, title 2, sections 300-303 are suspended. The Director of the California Department of Human Resources must be notified of any individual employed pursuant to these waivers.
8. The California Health and Human Services Agency and the Office of Emergency Services shall identify, and shall otherwise be prepared to make available—including through the execution of any necessary contracts or other agreements and, if necessary, through the exercise of the State's power to commandeer property – hotels and other places of temporary residence, medical facilities, and other facilities that are suitable for use as places of temporary residence or medical facilities as necessary for quarantining, isolating, or treating individuals who test positive for COVID-19 or who have had a high-risk exposure and are thought to be in the incubation period.
9. The certification and licensure requirements of California Code of Regulations, Title 17, section 1079 and Business and Professions Code section 1206.5 are suspended as to all persons who meet the requirements under the Clinical Laboratory Improvement Amendments of section 353 of the Public Health Service Act for high complexity testing and who are performing analysis of samples to test for SARS-CoV-2, the virus that causes COVID-19, in any certified public health laboratory or licensed clinical laboratory.
10. To ensure that individuals with developmental disabilities continue to receive the services and supports mandated by their individual program plans threatened by disruptions caused by COVID-19, the Director of the Department of Developmental Services may issue directives waiving any provision or requirement of the Lanterman Developmental Disabilities Services Act, the California Early Intervention Services Act, and the accompanying regulations of Title 17, Division 2 of the California Code of Regulations. A directive may delegate to the regional centers any authority granted to the Department by law where the Director believes such delegation is necessary to ensure services to individuals with developmental disabilities. The Director shall describe the need justifying the waiver granted in each directive and articulate how the waiver is necessary to protect the public health or safety from the threat of COVID-19 or necessary to ensure that services to individuals with developmental disabilities are not disrupted. Any waiver granted by a directive shall expire 30 days from the date of its issuance. The Director may grant one or more 30-day extensions if the waiver continues to be necessary

to protect health or safety or to ensure delivery of services. The Director shall rescind a waiver once it is no longer necessary to protect public health or safety or ensure delivery of services. Any waivers and extensions granted pursuant to this paragraph shall be posted on the Department's website.

11. Notwithstanding any other provision of state or local law, including the Bagley-Keene Act or the Brown Act, a local legislative body or state body is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to attend and to address the local legislative body or state body, during the period in which state or local public officials impose or recommend measures to promote social distancing, including but not limited to limitations on public events. All requirements in both the Bagley-Keene Act and the Brown Act expressly or impliedly requiring the physical presence of members, the clerk or other personnel of the body, or of the public as a condition of participation in or quorum for a public meeting are hereby waived.

In particular, any otherwise-applicable requirements that

- (i) state and local bodies notice each teleconference location from which a member will be participating in a public meeting;
- (ii) each teleconference location be accessible to the public;
- (iii) members of the public may address the body at each teleconference conference location;
- (iv) state and local bodies post agendas at all teleconference locations;
- (v) at least one member of the state body be physically present at the location specified in the notice of the meeting; and
- (vi) during teleconference meetings, at least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction

are hereby suspended, on the conditions that:

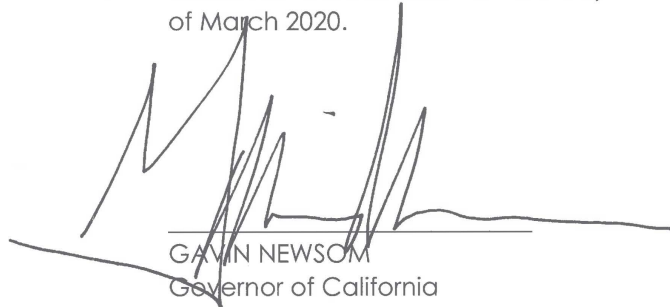
- (i) each state or local body must give advance notice of each public meeting, according to the timeframe otherwise prescribed by the Bagley-Keene Act or the Brown Act, and using the means otherwise prescribed by the Bagley-Keene Act or the Brown Act, as applicable; and
- (ii) consistent with the notice requirement in paragraph (i), each state or local body must notice at least one publicly accessible location from which members of the public shall have the right to observe and offer public comment at the public meeting, consistent with the public's rights of access and public comment otherwise provided for by the Bagley-Keene Act and the Brown Act, as applicable (including, but not limited to, the requirement that such rights of access and public comment be made available in a manner consistent with the Americans with Disabilities Act).

In addition to the mandatory conditions set forth above, all state and local bodies are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the provisions of the Bagley-Keene Act and the Brown Act, and other applicable local laws regulating the conduct of public meetings, in order to maximize transparency and provide the public access to their meetings.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 12th day of March 2020.



A handwritten signature in black ink, appearing to read 'Gavin Newsom', is written over a horizontal line. The signature is stylized and somewhat messy.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

Assembly Bill No. 361

CHAPTER 165

An act to add and repeal Section 89305.6 of the Education Code, and to amend, repeal, and add Section 54953 of, and to add and repeal Section 11133 of, the Government Code, relating to open meetings, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 16, 2021. Filed with
Secretary of State September 16, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 361, Robert Rivas. Open meetings: state and local agencies: teleconferences.

(1) Existing law, the Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to directly address the legislative body on any item of interest to the public. The act generally requires all regular and special meetings of the legislative body be held within the boundaries of the territory over which the local agency exercises jurisdiction, subject to certain exceptions. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. The act authorizes the district attorney or any interested person, subject to certain provisions, to commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that specified actions taken by a legislative body are null and void.

Existing law, the California Emergency Services Act, authorizes the Governor, or the Director of Emergency Services when the governor is inaccessible, to proclaim a state of emergency under specified circumstances.

Executive Order No. N-29-20 suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic provided that notice and accessibility requirements are met, the public members are allowed to observe and address the legislative body at the meeting, and that a legislative body of a local agency has a procedure for receiving and swiftly

resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 1, 2024, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined, when state or local health officials have imposed or recommended measures to promote social distancing, during a proclaimed state of emergency held for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees, as provided.

This bill would require legislative bodies that hold teleconferenced meetings under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option, and to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body. The bill would require the legislative body to take no further action on agenda items when there is a disruption which prevents the public agency from broadcasting the meeting, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments, until public access is restored. The bill would specify that actions taken during the disruption are subject to challenge proceedings, as specified.

This bill would prohibit the legislative body from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. The bill would prohibit the legislative body from closing the public comment period and the opportunity to register to provide public comment, until the public comment period has elapsed or until a reasonable amount of time has elapsed, as specified. When there is a continuing state of emergency, or when state or local officials have imposed or recommended measures to promote social distancing, the bill would require a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting pursuant to these provisions, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures.

Existing law prohibits a legislative body from requiring, as a condition to attend a meeting, a person to register the person's name, or to provide other information, or to fulfill any condition precedent to the person's attendance.

This bill would exclude from that prohibition, a registration requirement imposed by a third-party internet website or other online platform not under the control of the legislative body.

(2) Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. The act requires at least one member of the state body to be physically present at the location specified in the notice of the meeting.

The Governor's Executive Order No. N-29-20 suspends the requirements of the Bagley-Keene Open Meeting Act for teleconferencing during the COVID-19 pandemic, provided that notice and accessibility requirements are met, the public members are allowed to observe and address the state body at the meeting, and that a state body has a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a state body to hold public meetings through teleconferencing and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body. With respect to a state body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the state body at each teleconference location. Under the bill, a state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the state body allow members of the public to attend the meeting and offer public comment. The bill would require that each state body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge state bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(3) Existing law establishes the various campuses of the California State University under the administration of the Trustees of the California State University, and authorizes the establishment of student body organizations in connection with the operations of California State University campuses.

The Gloria Romero Open Meetings Act of 2000 generally requires a legislative body, as defined, of a student body organization to conduct its business in a meeting that is open and public. The act authorizes the legislative body to use teleconferencing, as defined, for the benefit of the public and the legislative body in connection with any meeting or proceeding authorized by law.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a legislative body, as defined for purposes of the act, to hold public meetings through teleconferencing and

to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body. With respect to a legislative body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the legislative body at each teleconference location. Under the bill, a legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. The bill would require that each legislative body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge legislative bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(4) This bill would declare the Legislature's intent, consistent with the Governor's Executive Order No. N-29-20, to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future emergencies by allowing broader access through teleconferencing options.

(5) This bill would incorporate additional changes to Section 54953 of the Government Code proposed by AB 339 to be operative only if this bill and AB 339 are enacted and this bill is enacted last.

(6) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

(7) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

(8) This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 89305.6 is added to the Education Code, to read:

89305.6. (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a legislative body may hold public meetings through teleconferencing

and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body.

(b) (1) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the legislative body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the legislative body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

(E) At least one member of the legislative body be physically present at the location specified in the notice of the meeting.

(c) A legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. A legislative body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a legislative body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the legislative body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each legislative body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a legislative body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the legislative body's internet website.

(f) All legislative bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to legislative body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 2. Section 11133 is added to the Government Code, to read:

11133. (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a state body may hold public meetings through teleconferencing and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body.

(b) (1) For a state body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the state body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a state body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the state body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

(E) At least one member of the state body be physically present at the location specified in the notice of the meeting.

(c) A state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically

or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the state body allow members of the public to attend the meeting and offer public comment. A state body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a state body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the state body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each state body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a state body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the state body's internet website.

(f) All state bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to state body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 3. Section 54953 of the Government Code is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, “teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public’s right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3.

In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, “state of emergency” means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 3.1. Section 54953 of the Government Code is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency in person, except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body

shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, “teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public’s right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter

2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3. In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for

the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, “state of emergency” means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 4. Section 54953 is added to the Government Code, to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting

of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, “teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public’s right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting,

members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) This section shall become operative January 1, 2024.

SEC. 4.1. Section 54953 is added to the Government Code, to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, in person except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the

legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, “teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public’s right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint

powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) This section shall become operative January 1, 2024.

SEC. 5. Sections 3.1 and 4.1 of this bill incorporate amendments to Section 54953 of the Government Code proposed by both this bill and Assembly Bill 339. Those sections of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2022, but this bill becomes operative first, (2) each bill amends Section 54953 of the Government Code, and (3) this bill is enacted after Assembly Bill 339, in which case Section 54953 of the Government Code, as amended by Sections 3 and 4 of this bill, shall remain operative only until the operative date of Assembly Bill 339, at which time Sections 3.1 and 4.1 of this bill shall become operative.

SEC. 6. It is the intent of the Legislature in enacting this act to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future applicable emergencies, by allowing broader access through teleconferencing options consistent with the Governor's Executive Order No. N-29-20 dated March 17, 2020, permitting expanded use of teleconferencing during the COVID-19 pandemic.

SEC. 7. The Legislature finds and declares that Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, further, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in teleconference meetings during applicable emergencies.

SEC. 8. (a) The Legislature finds and declares that during the COVID-19 public health emergency, certain requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code) were suspended by Executive Order N-29-20. Audio and video teleconference were widely used to conduct public meetings in lieu of physical location meetings, and public meetings conducted by teleconference during the COVID-19 public health emergency have been productive, have increased public participation by all members of the public regardless of their location in the state and ability to travel to physical meeting locations, have protected the health and safety of civil servants and the public, and have reduced travel costs incurred by members of state bodies and reduced work hours spent traveling to and from meetings.

(b) The Legislature finds and declares that Section 1 of this act, which adds and repeals Section 89305.6 of the Education Code, Section 2 of this act, which adds and repeals Section 11133 of the Government Code, and Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, all increase and potentially limit the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

(1) By removing the requirement that public meetings be conducted at a primary physical location with a quorum of members present, this act protects the health and safety of civil servants and the public and does not preference the experience of members of the public who might be able to attend a meeting in a physical location over members of the public who cannot travel or attend that meeting in a physical location.

(2) By removing the requirement for agendas to be placed at the location of each public official participating in a public meeting remotely, including from the member's private home or hotel room, this act protects the personal, private information of public officials and their families while preserving the public's right to access information concerning the conduct of the people's business.

SEC. 9. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure that state and local agencies can continue holding public meetings while providing essential services like water, power, and fire protection to their constituents during public health, wildfire, or other states of emergencies, it is necessary that this act take effect immediately.

RESOLUTION NO. 2021-08

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MISSION OAKS RECREATION AND PARK DISTRICT PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR ORDER N-25-20 ON MARCH 4, 2020, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF MISSION OAKS RECREATION AND PARK DISTRICT FOR THE PERIOD OCTOBER 1, 2021 TO OCTOBER 31, 2021 PURSUANT TO BROWN ACT PROVISIONS.

WHEREAS, the MISSION OAKS RECREATION AND PARK DISTRICT is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of MISSION OAKS RECREATION AND PARK 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, on March 4, 2020, Governor Newsom issued a Proclamation of a State of Emergency declaring a state of emergency exists in California due to the threat of COVID-19, pursuant to the California Emergency Services Act (Government Code section 8625); and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the Brown Act, provided certain requirements were met and followed; and,

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 that clarified the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 that allows a legislative body subject to the Brown Act to continue to meet without fully complying with the teleconferencing rules in the Brown Act provided the legislative body make certain findings; and

WHEREAS, as amended by AB 361, 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 requirements; 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(b); and

WHEREAS, a further required condition of Government Code section 54953(e) is that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body holds a meeting to determine or has determined by a majority vote that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, as of the date of this Resolution, the Proclamation of a State of Emergency remains in effect as neither the Governor nor the state Legislature have exercised their respective powers pursuant to Government Code section 8629 to lift the state of emergency either by proclamation or by concurrent resolution the state Legislature; and

WHEREAS, the California Department of Industrial Relations has issued regulations related to COVID-19 Prevention for employees and places of employment. Title 8 of the California Code of Regulations, Section 3205(5)(D) specifically recommends physical (social) distancing as one of the measures to decrease the spread of COVID-19 based on the fact that particles containing the virus can travel more than six feet, especially indoors; and

WHEREAS, on September 28, 2021, the Sacramento County Public Health Officer Dr. Olivia Kasirye issued a Teleconference Recommendation which states that utilizing teleconference options for public meetings is an effective and recommended social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and other from COVID-19; and

WHEREAS, [BOARD, COMMISSION, ETC] the has an interest in encouraging public participation in open and public meetings while protecting the health, safety and welfare of those who participate.

WHEREAS, such conditions now exist in the District, specifically, A State OF Emergency has been proclaimed as a result of the threat and spread of COVID-19; and

WHEREAS, Advisory Board members and/or District Staff exposed to COVID-19 may be temporarily unable to attend an in-person meeting due to exposure or potential exposure, illness or quarantine related to COVID-19 or social distancing measures; and

WHEREAS, the Advisory Board of Directors does hereby find that COVID-19 remains active, COVID-19 has caused, and will continue to cause, conditions of peril in the safety of persons within the District, and are likely to be beyond control of services, personnel, equipment and facilities of the District, and desires to 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 MISSION OAKS RECREATION AND PARK 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 Notices and Agendas for Advisory Board Meetings will be posted within timeframes required by the Brown Act and will include the time and location of the meeting and/or teleconference access link that includes Meeting ID and password for public observation and address telephonically or otherwise electronically.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF MISSION OAKS RECREATION AND PARK DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. The Advisory Board hereby ratifies the Governor's proclamations that state and local emergencies exist throughout the State and District, and Advisory Board Members and/or District Staff exposed to COVID-19 may be temporarily unable to attend an in-person meeting due to exposure, illness, or quarantine related to COVID-19 or social distancing measures: and

Section 3. 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. The Board hereby declares that the District is authorized to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act, and Staff are directed to take all actions necessary to carry out the intent and purpose of this Resolution.

Section 5. The District Staff and legislative bodies of MISSION OAKS RECREATION AND PARK 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 6. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) October 31, 2021, or such time the Advisory 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 MISSION OAKS RECREATION AND PARK DISTRICT may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of MISSION OAKS RECREATION AND PARK DISTRICT, this 12th day of October 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jeff Rothberg, Chair of the Mission Oaks Recreation
And Park District Advisory Board of Directors

Debra Tierney, Clerk of the Board

STAFF REPORT



DATE: October 5, 2021

TO: MORPD Advisory Board of Directors

FROM: Daniel Barton, District Administrator

SUBJECT: Approve Five Priorities for the County's FY 2022-23 budget

BACKGROUND:

In June, the Board of Supervisors approved a Community Engagement Plan for the FY 2022-23 budget. As part of that process, they are asking Advisory Boards' and Commissions to identify their priorities and needs relative to the County's budget. The information gathered will be combined with the broader public in a scientific poll.

After discussion and help from the Advisory Board these are the Five Priorities to be submitted to the County:

1. Combine enforcement efforts with local Districts to share resources in addressing common issues such as the homeless, dogs off leash, and drug enforcement.
2. Create/identify housing solutions, so the county can enforce the no camping ordinance.
3. Create joint/complimentary advertising and social media strategies with local Park & Recreation Districts to promote each other's events and maximize resources to outreach residents, especially the underserved.
4. Align drug and weapons policies with those of the local school districts for a more seamless and cohesive enforcement policy, as the parks and schools are often adjoining properties.
5. Increase staffing for a greater diversity and frequency of activities for addressing the needs of emerging or underserved residents especially amongst our seniors and children.

STAFF RECOMMENDATIONS:

The Advisory Board of Directors approve the Five Priorities set forth for the County's FY 2022-23 budget, so staff can submit them to the county for the County's Regional Parks study.