

RESOLUTION NO. 22021

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MENDOCINO COAST HEALTH CARE DISTRICT PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON SEPTEMBER 16, 2021 AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF MENDOCINO COAST HEALTH CARE DISTRICT FOR THE PERIOD OCTOBER 1, 2021 THROUGH OCTOBER 30, 2021 PURSUANT TO BROWN ACT PROVISIONS.

WHEREAS, the MENDOCINO COAST HEALTH CARE DISTRICT is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of MENDOCINO COAST HEALTH CARE DISTRICT's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or

extreme peril to the safety of persons and property within the jurisdictions that are within the

District's boundaries, caused by natural, technological, or human-caused disasters;
and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in the District, specifically, a **State of Emergency** has been proclaimed by Governor Newsom on March 4, 2020 and Governor Newsom signed into law Assembly Bill 361 on September 16, 2021; and

WHEREAS, on June 15, 2021 Mendocino County Department of Public Health issued an Order directing all individuals in the county to continue to follow state requirements directed by the governor and state public health officer; and

WHEREAS, the Board of Directors does hereby find that the SARS-CoV-2 Virus continues to impact our community, and, in-person meetings may create an environment where transmission of SARS-CoV-2 could be spread and has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and

facilities of the District, and desires to proclaim a local emergency and ratify the proclamation of state of emergency by the Governor of the State of California and by local officials; and

WHEREAS, as a consequence of the local emergency, the Board of Directors does hereby find that the legislative bodies of Mendocino Coast Health Care 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, Mendocino Coast Health Care District Board of Directors will post an Agenda online, in accordance with Brown Act requirements, make the meetings available online and allow for public participation in the meetings of the Board of Directors.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF MENDOCINO COAST HEALTH CARE DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

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

Section 2. Proclamation of Local Emergency. The Board hereby proclaims that a local emergency now exists throughout the District, and in-person meetings may create an environment where transmission of SARS-CoV-2 could be increased and has caused, and will continue to cause, conditions placing the health and safety of persons within the District at risk.

Section 3. Ratification of Governor's Proclamation of a State of Emergency. The Board hereby adopts the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings. The Board Chair is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect October 1, 2021 and shall be effective until October 30, 2021, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of Mendocino Coast Health Care 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 MENDOCINO COAST HEALTH CARE DISTRICT this 29th day of September, 2021, by the following vote:

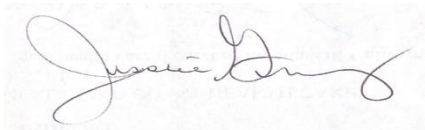
AYES: McColley, Redding, Grinberg

NOES: 0

ABSENT: Spring, DeVall

ABSTAIN: 0

ATTEST:

A handwritten signature in black ink, appearing to read "Jessica Grinberg", is written over a light blue grid background.

Jessica Grinberg

Chair, Mendocino Coast Health Care District Board of Directors