



April 2, 2020

TO: LOCSD Board of Directors

FROM: Ron Munds, General Manager

SUBJECT: Item 2B – 4/2/2020 Board of Directors Meeting
Adoption of Resolution 2020-04 establishing Virtual Public Meeting Protocols and Policy Related to COVID-19

STAFF RECOMMENDATION

President
Charles L. Cesena

Vice President
Christine M. Womack

Directors
Matthew D. Fourcroy
Vicki L. Milledge
Marshall E. Ochylski

General Manager
Ron Munds

District Accountant
Robert Stilts, CPA

Unit Chief
Scott M. Jalbert

Battalion Chief
George Huang

Motion: I move that the Board of Directors adopt Resolution 2020-04 establishing the virtual public meeting protocols and policy related to COVID-19.

DISCUSSION

On March 4, 2020, the Governor signed of proclamation declaring a COVID-19 state of emergency in the State of California which summarized the severity of the outbreak and offered local agencies support in combating the spread of the disease. Since that time, the federal government declared a national emergency concerning COVID-19 which was issued on March 13, 2020, the state has issued two additional Local Emergency Orders and Regulations to support local responses to the outbreak and the County's Office of Emergency Services and the Public Health Agency have issued several Executive Orders restricting certain activities and modifying regulations to assist in preventing the spread of COVID-19.

On March 17, 2020, the Governor issued Executive Order N-29-20 which authorized meetings of local legislative bodies to be held by teleconference or other electronic means as long as notice is provided to the public and the meeting is made accessible in specified ways to allow the public to observe and participate. To meet the intent and requirements of the Executive Order, staff and District Counsel are recommending the adoption of the attached Resolution to establish Virtual Public Meeting Protocols and Policy Related to Coronavirus COVID-19.

FINANCIAL IMPACT

There is no direct fiscal impact for changes to the policy at this time.

Attachment

Mailing Address:
P.O. Box 6064
Los Osos, CA 93412

Offices:
2122 9th Street, Suite 110
Los Osos, CA 93402

Phone: 805/528-9370
FAX: 805/528-9377

RESOLUTION NO. 2020-04

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE LOS OSOS COMMUNITY SERVICES DISTRICT
ESTABLISHING VIRTUAL PUBLIC MEETING PROTOCOLS AND POLICY RELATED TO
CORONAVIRUS COVID-19**

WHEREAS, the Los Osos Community Services District (“District”) is an independent special district and the meetings of its legislative body are open and public in compliance with the legal requirements of the Ralph M. Brown Act (Government Code section 54950, et. seq.); and

WHEREAS, due to the Novel Coronavirus 2019 (“COVID-19”) pandemic, the District is in a state of emergency as established by the Governor on March 4, 2020 via proclamation, and by the San Luis Obispo County Director of Emergency Services and the Los Osos Community Services District Board of Directors on March 13 and 23, 2020, respectively, via resolution; and

WHEREAS, on March 18, 2020, the San Luis Obispo County Emergency Services Director issued a mandatory shelter at home order which affects the District’s entire service area and requires alterations to the District’s normal business practices; and

WHEREAS, on March 19, 2020, the Governor issued Executive Order N-33-20 directing all individuals living in the State of California to stay home or at their place of residence, except as to maintain continuity of operations of specified critical infrastructure; and

WHEREAS, the Governor identified a list of Essential Critical Infrastructure Workers to help state, local, tribal and industry partners as they work to protect communities. This list includes critical government workers and identifies water and wastewater and other service providers as necessary to maintain safety and sanitation; and

WHEREAS, on March 23, 2020, the District Board of Directors approved the Los Osos CSD COVID-19 Response Plan promulgating certain rules and protocols establishing alternative staffing levels, temporarily closing District facilities to the public, and altering the public services provided in order to ensure social distancing and protect the life and property of the District, its employees, and the residents of Los Osos Community Services District; and

WHEREAS, it is necessary to continue to conduct meetings of the various legislative bodies of the District in order to maintain the critical public health and safety services and operations provided; and

WHEREAS, Section 54954(a) of the Brown Act requires that the District specify its regular meeting time and place by ordinance, resolution or bylaws; and

WHEREAS, the District’s regular meeting place has been established as the District’s office in Los Osos; and

WHEREAS, Government Code section 54954(e) allows the Board President to designate an alternate location for the meetings to take place if, due to an emergency, it is unsafe to meet in the designated location; and

WHEREAS, on March 17, 2020, the Governor issued Executive Order N-29-20 which authorized meetings of local legislative bodies to be held by teleconference or other electronic means as long as notice is provided to the public and the meeting is made accessible in specified ways to allow the public to observe and participate; and

WHEREAS, it is the intent of the Board President to designate, and the Board of Directors to ratify such designation, the alternate location of meetings to be held via teleconference or other electronic means, in order to continue to receive information, provide direction, and make decisions on behalf of the District while still complying with social distancing requirements during the pendency of this pandemic.

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

SECTION 1. The above referenced recitals are true and correct and material to the adoption of this Resolution.

SECTION 2. The District offices located at 2122 9th Street, Suite 110, Los Osos, CA 93402, shall be temporarily closed to the public.

SECTION 3. The regular meetings of the Board, and any and all other meetings of the District's legislative bodies that are subject to the Brown Act, may be held via teleconference or other electronic means, in the manner set forth in the Virtual Public Meeting Protocols and Policy Related to Coronavirus COVID-19 attached to this Resolution, which may be updated, from time to time, in the actual agenda notice for the meeting of the legislative body.

SECTION 4. All members of the public seeking to observe and/or to address the local legislative body may participate in the meeting telephonically or otherwise electronically in the manner set forth in the Virtual Public Meeting Protocols and Policy Related to Coronavirus COVID-19 attached to this Resolution, which may be updated, from time to time, in the actual agenda notice for the meeting of the legislative body.

SECTION 5. This Resolution and Declaration shall take effect immediately and shall remain in effect only during the period in which state or local public health officials have imposed or recommended social distancing measures.

On the motion of Director _____, seconded by Director _____, and on the following roll call vote, to wit:

Ayes: _____
Nays: _____
Absent: _____
Conflicts: _____

The foregoing resolution is hereby passed, approved, and adopted by the Board of Directors of the Los Osos Community Services District this 2nd day of April, 2020.

Charles L. Cesena
President, Board of Directors
Los Osos Community Services District

ATTEST:

APPROVED AS TO FORM:

Ron Munds
General Manager and Secretary to the Board

Jeffery Minnery
District Legal Counsel



Los Osos Community Services District
Virtual Meeting Protocols and Policy Related to Coronavirus COVID-19
(Drafted March 31, 2020)

The guidance below provides useful information for accessing LOCS D meetings remotely and establishing protocols for productive meetings.

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www.losososcscsd.org

BOARD AND COMMITTEE MEMBERS:

- **Attendance.** Board and Committee Members should attend District meetings remotely from their homes, offices, or an alternative off-site location. As per the Governor’s updated Executive Order N-29-20, there is no longer a requirement to post agendas at or identify the address of these locations.
- **Agendas.** Agenda packages will be made available on the District’s website. They will also be sent by email to all Directors and Committee Members. Note that under the circumstances, District staff may not be able to send paper packets.
- **Director Participation.** Directors will be unmuted from the beginning of the meeting. Please announce your name before speaking so that those participating by telephone only will know who is speaking. The Board President will recognize individual Board Members in order when it is their turn to speak. Please review the “Best Meeting Practices” guideline so that the meeting is conducted in an effective and efficient manner.
- **Committee Member Participation.** Committee Members will be unmuted from the beginning of the meeting. Please announce your name before speaking so that those participating by telephone only will know who is speaking. The Chair will recognize individual Committee Members in order when it is their turn to speak. Please review the “Best Meeting Practices” guideline so that the meeting is conducted in an effective and efficient manner.

PUBLIC PARTICIPATION:

- **Attendance.** The District’s office will remain closed to the public until further notice. Members of the public will be able to hear and/or see public meetings via phone, computer or smart device. Information about how to observe the meeting is listed on the agenda of each meeting.

- **Agendas.** Agendas will be made available on the District’s website and to any members of the public who have a standing request, as provided for in the Brown Act.
- **Public Participation.** Members of the public will be muted for the duration of the meeting. The Board President/Committee Chair will announce the time for Public Comment. Members of the public will notify the meeting Host of their desire to provide public comment depending on their form of participation, as described below. The meeting Host will unmute the public member’s device so that comments may be heard, or comments will be read if they are provided in writing only. The public can observe and participate in a meeting as follows:

HOW TO OBSERVE THE MEETING:

- **Please see the Agenda for how to Observe the meeting.**

HOW TO SUBMIT PUBLIC COMMENTS:

- **Before the Meeting:** Please email your comments to ldurban@lososocsd.org, write “Public Comment” in the subject line. In the body of the email, include the agenda item number and title, as well as your comments. If you would like your comment to be read aloud at the meeting (not to exceed three minutes at staff’s cadence, approximately 500 words), prominently write “Read Aloud at Meeting” at the top of the email. All comments received before 12:00 PM on the day the meeting will be held will be included as an agenda supplement on the District’s website under the relevant meeting date and provided to the Directors/Committee Chair at the meeting. Comments received after this time will be treated as live comments.
- **Live Comments:** During the meeting, the Board President or designee/Committee Chair or designee will announce the opportunity to make public comment. The meeting Host will remind Members of the public how they can make public comment and how to enter the speaking queue. Public comment will be limited to three (3) minutes. If a speaker continues speaking after being notified of the end of their public comment period, the meeting Host will mute the speaker and move on to the next person in the queue.
 - Any comments made on a secondary viewing platform such as Facebook Live, or YouTube Live will not be included as public comment. The Host of the Virtual Board meeting will announce at the beginning of the meeting, and before public comment how to make a comment via Computer, Mobile or Telephone.

FOR ALL PARTICIPANTS:

- **Get Connected:** Please see the Agenda for the application that will be used at the Meeting. There is no cost for using the application.
- **Ensure Quiet.** Please mute all devices when not speaking during the meeting. Please make every effort to find a location with limited ambient noise. Please turn off the ringer on your phone and other notification sounds on your devices to reduce interruptions.

We anticipate that this process of moving to remote meetings will likely include some challenges and hope that all will bear with us as we navigate this process.