

**RESOLUTION NO. 08**

**A RESOLUTION OF THE MONO COUNTY BOARD OF EDUCATION  
PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A  
STATE OF EMERGENCY BY GOVERNOR NEWSOM'S ORDER DATED MARCH 4,  
2020, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS FOR THE  
PERIOD OF FEBRUARY 9, 2023 TO FEBRUARY 28, 2023**

**Recitals**

WHEREAS, the Mono County Child Care Council ("Council") is committed to preserving and nurturing public access and participation in its meetings; and

WHEREAS, all meetings of the Council's legislative bodies are open and public, as required by the Ralph M. Brown Act (Gov. Code, §§ 54950 – 54963), so that any member of the public may attend, participate, and watch the Board'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 Council'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 jurisdiction of the Council, specifically, the State of Emergency declared by Governor Newsom on March 4, 2020, due to COVID-19; and

WHEREAS, meeting in person presents an imminent risk to health and safety of attendees, including those who may not be vaccinated, are vulnerable, and those who are elderly or have underlying medical conditions; and

WHEREAS, the Council does hereby find that the rise in SARS-CoV-2 Delta Variant has caused, and will continue to cause, conditions of peril to the safety of persons within the Council's boundaries that are likely to be beyond the control of services, personnel, equipment,

and facilities of the Council, and desires to proclaim a local emergency exists and 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 Council does hereby find that the legislative bodies of the Council shall conduct their meetings without following 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 meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, the Council will ensure that the public has access to meetings and the opportunity to participate in meetings in the interest of transparency and as required by the Government Code and AB 361. Individuals wishing to provide public comment in real time will be able to do so. Public comment is allowed on both agendized and non-agendized matters. In addition to oral public comment, written public comment can also be submitted and will be considered. All written public comments will be forwarded to the Mono County Child Care Council members. All written public comment received shall become part of the official record. In the event of a service disruption that prevents broadcasting the meeting or in the event of a disruption within the Council's control that prevents public comment for members of the public using the call-in option or internet-based option, the Council will stop the meeting and take no further action on agenda items until public access is restored.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Mono County Child Care Council, as follows:

1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. Proclamation of Local Emergency. The Council hereby proclaims that a local emergency now exists throughout its boundaries, and COVID-19 has caused, and will continue to cause, conditions of peril to the safety of persons within the Council's boundaries that are likely to be beyond the control of services, personnel, equipment, and facilities of the Council. Meeting in person presents an imminent risk to health and safety of attendees, especially those who may not be vaccinated, are vulnerable, or have underlying health conditions. There is additionally a recommendation of social distancing.
3. Ratification of Governor's Proclamation of a State of Emergency. The Council 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.
4. Remote Teleconference Meetings. The Coordinator and Staff of the Council 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.

5. Effective Date of Resolution. This Resolution shall take effect on February 9, 2023, and shall be effective until the earlier of (i) February 28, 2023, or (ii) such time the Council adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the Council may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

ADOPTED by the Mono County Child Care Council February 9, 2023, in Mammoth Lakes, California, by the following roll call votes:

AYES: 4

NOES: 0

ABSENT: 3

ABSTAINED: 0

  
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Chair  
Mono County Child Care Council

**ATTEST:**

*Kevin Lian*  
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Coordinator  
Mono County Child Care Council