

**REPORT TO THE BOARD OF DIRECTORS
BOARD MEETING OF February 14, 2023
AGENDA ITEM NO. 8J**



AGENDA SECTION: ACTION ITEMS

SUBJECT: CONSIDER AUTHORIZING THE GENERAL MANAGER TO PREPARE A PUBLIC SERVICE AGREEMENT (PSA) FOR CONSULTING SERVICES TO DEVELOP A WATER TRANSFER POLICY

PREPARED BY: Adam Brown, Operations Manager

APPROVED BY: Nicholas Schneider, General Manager

BACKGROUND

A water transfer is “a voluntary sale of water proposed and initiated by willing sellers who have legal rights to a supply of water to an interested buyer.”

On May 12, 2020, the Board of Directors adopted Resolution 2020-25 authorizing the interim general manager to execute an agreement related to a temporary transfer of up to 2,000 acre-feet of water to Westlands Water District (WWD) to allow them to supplement its water supply.

DISCUSSION

The Division of Water Rights of the State Department of Water Resources manages the Water Transfers Program covered by Water Code Sections 1725, temporary transfers. The ability of the District to engage in the water transfer market is a way to generate additional revenue. This revenue can be used to maintain and upgrade District infrastructure. All transfers must be reviewed and approved by the Board of Directors.

Members of the Board of Directors have expressed an interest in a water transfer policy to help guide future water transfer opportunities, ensuring they can be managed more closely. Additionally, this will allow a set of checkpoints to see if a transfer is possible.

Staff requests Board approve a Public Service Agreement with Zanjero Inc. for consulting services to develop a water transfer policy. This policy will be presented to the Board of Directors Policy committee for editing and submitted to the Board of Directors for final approval.

The development of a Water Transfer Policy is in no way a guarantee of any future transfers of District Water. This policy will guide the staff and Board and will help to determine if it is appropriate to engage in a water transfer.

FISCAL IMPACT

The cost to develop the transfer policy is unknown at this time. A not-to-exceed \$25,000 is requested for the development. The future fiscal impact of this policy will allow for a net gain of revenue in the District.

CEQA ASSESSMENT

This is not a CEQA Project. However, due to the nature of water transfers, an environmental review will be done with all future associated water transfers.

RECOMMENDED ACTION

Staff recommends the Board of Directors of the Georgetown Divide Public Utility District (GDPUD) adopt the attached Resolution authorizing the General Manager to prepare a PSA for consulting services with Zanjero Inc. to develop a Water Transfer Policy.

ALTERNATIVES

Request substantive changes to the Resolution for staff to implement; or reject the Resolution.

ATTACHMENTS

1. Draft Resolution 2023-XX PSA for Water Transfer Consultant

RESOLUTION NO. 2023-XX
OF THE BOARD OF DIRECTORS OF THE
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT
APPROVING ZANJERO INC. AS A WATER TRANSFER CONSULTANT

WHEREAS, the Division of Water Rights of the State Department of Water Resources manages the Water Transfers Program covered by Water Code Sections 1725, temporary transfers.; and

WHEREAS, the ability of the District to engage in the water transfer market is a way to generate additional revenue; and

WHEREAS, this revenue can be used to maintain and upgrade District infrastructure; and

WHEREAS, all transfers must be reviewed and approved by the Board of Directors

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT GENERAL MANAGER IS AUTHORIZED TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT WITH ZANJERO INC.

PASSED AND ADOPTED by the Board of Directors of the Georgetown Divide Public Utility District at a meeting of said Board held on the 14th day of February 2023, by the following vote:

AYES:

NOES:

ABSENT/ABSTAIN:

Mitch MacDonald, President, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Attest:

Nicholas Schneider, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

CERTIFICATION

I hereby certify that the foregoing is a full, true and correct copy of Resolution 2023-XX duly and regularly adopted by the Board of Directors of the Georgetown Divide Public Utility District, County of El Dorado, State of California, on this 14th day of February 2023..

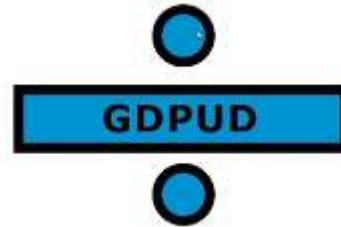
Nicholas Schneider, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

DRAFT

REPORT TO THE BOARD OF DIRECTORS

Board Meeting of February 14, 2013

Agenda Item No. 8K



AGENDA SECTION: Action Items

SUBJECT: Washington DC Association of California Water Agencies (ACWA) Conference and 2023 ACWA Spring Conference & Expo

PREPARED BY: Carol Arquette, Interim Board Clerk

Approved By: Nicholas Schneider, General Manager

BACKGROUND

Every year ACWA hosts a Federal legislative conference that highlights key initiatives being discussed and proposed at the federal level. This year the conference is being held February 29 thru March 2.

- February 28 — March 2, 2023: ACWA's 2023 DC Conference will feature three days of programs covering implementation of the infrastructure Investment and Jobs Act (IIJA; P.L. 117-58); insights and opportunities for the 118th Congress; Biden Administration action on the ongoing drought; meet new members of the California Congressional Delegation and network with fellow water professionals. (see attached agenda)

Additionally, ACWA host 2 annual conference per year and will host one from May 9th thru May 11th in Monterey, Ca. This is an opportunity to attend ACWA committees, education seminars and learn new strategies in the water industry.

- May 9 — May 11, 2023: Monterey, California Spring Conference offers an opportunity to learn about new trends, best practices, innovations and solutions in the water industry. (Preliminary agenda attached)

DISCUSSION

The D.C. conference offers an opportunity to meet with Congressional Representatives and Administration officials on behalf of GDPUD, as well as network with ACWA members. If a director would like to attend the Federal Conference, it will require a vote of the other board members. Additionally, in regard to the spring conference it is important to know which Board members would like to attend. Typically this is an event where ACWA's board meets to conduct business and one or two Board members should attend.

FISCAL IMPACT

D.C. Conference estimated cost \$5,000 one attendee; Spring Conference in Monterey estimated cost \$3,500/each.

CEQA ASSESSMENT

Not a CEQA Project

RECOMMENDED ACTION

Staff recommends the Board of Directors of the Georgetown Divide Public Utility District (GDPUD) adopt the attached Resolution approving/authorizing GDPUD attendance at the ACWA Conferences.

ALTERNATIVES

Detail alternative actions available to the Board; i.e. (a) Request substantive changes to the Resolution for staff to implement; (b) Reject the Resolution.

ATTACHMENTS

1. D.C. Conference Agenda
2. Spring Conference Preliminary Agenda
3. Resolution 2023-XX Approving Attendance at ACWA Conferences



ACWA DC 2023

WASHINGTON D.C. WATER CONFERENCE

ST. REGIS HOTEL, WASHINGTON D.C. >>>>

FEB 28 - MAR 2, 2023



AGENDA

TUESDAY, February 28

- Individual Advocacy Members are encouraged to schedule their own meetings with Congressional Representatives and Administration Officials. Speaker programs will be available to all attendees beginning at 2 pm.
- 2:00 – 5:00 p.m. Afternoon speaker programs with Congressional Staff and DC Representatives
Hall of States, 400 North Capitol Street NW, Washington, D.C. 20001
- 6:00 – 8:00 p.m. ACWA Congressional Reception with the California Association of Sanitation Agencies
U.S. Botanic Gardens, 100 Maryland Ave SW, Washington, DC 20001

WEDNESDAY, March 1

- 7:30 a.m. – 9:00 a.m. Breakfast
St. Regis Hotel, 923 Black Lives Matter Plz NW, Washington, DC 20006
- 9:00 – 11:30 a.m. Opening Keynote and Programming
St. Regis Hotel
- 11:30 a.m. – 12:30 p.m. Lunch
St. Regis Hotel
- 1:00 p.m. Group Picture
Capitol Steps, East Side
- 1:45 – 5:00 p.m. Congressional Speech Program
Capitol Visitor Center
- 5:30 – 6:30 p.m. ACWA Networking Reception
St. Regis Hotel

THURSDAY, March 2

- 8:30 – 10:30 a.m. Closing Keynote
St. Regis Hotel

★ Agenda items marked with this symbol will be recorded and available for on-demand access after the live event.

Note: Tuesday Committee meetings will not be recorded or available on-demand.

ACWA JPIA - MONDAY, MAY 8

8:30 - 10:00 AM

- ACWA JPIA Program

10:15 - 11:15 AM

- ACWA JPIA Executive Committee

11:30 - 12:30 PM

- ACWA JPIA Pre-Board Meeting Lunch

1:00 - 5:00 PM

- ACWA JPIA Board of Directors / Town Hall

TUESDAY, MAY 9

7:00 AM - 6:00 PM

- Registration

8:00 AM - 9:45 AM

- Agriculture Committee

8:30 AM - Noon

- ACWA JPIA Seminars

10:00 - 11:45 AM

- Groundwater Committee
- Energy Committee

11:00 AM - Noon

- Outreach Task Force

Noon - 2:00 PM

- Committee Lunch Break

1:00 - 2:45 PM

- Legal Affairs Committee
- Local Government Committee
- Finance Committee
- Water Management Committee

1:00 - 3:00 PM

- ACWA JPIA: Sexual Harassment Prevention for Board Members & Managers (AB 1825)

3:00 - 4:45 PM

- Communications Committee
- Federal Affairs Committee
- Membership Committee
- Water Quality Committee

5:00 - 6:30 PM

- Welcome Reception in the Exhibit Hall

WEDNESDAY, MAY 10

7:30 AM - 5 PM

- Registration

8:00 - 9:45 AM

- Opening Breakfast *(Ticket Required)* ★

8:30 AM - 6:00 PM

- Connect in the Exhibit Hall

10:15 - 11:15 AM

- Attorneys Program ★
- Finance Program ★
- Region Forum ★
- Statewide Forum ★
- Water Industry Trends Program ★
- Roundtable Talk

11:30 AM - 1:30 PM

- Connect in the Exhibit Hall
- Networking Lunch *(Ticket Required)*

1:45 - 3:00 PM

- Attorney Program ★
- Communications Committee Program ★
- Finance Program ★
- Federal Forum ★
- Statewide Forum ★
- Roundtable Talk

3:15 - 4:45 PM

- Regions 1-10 Membership Meetings

5:00 - 6:00 PM

- ACWA Reception in the Exhibit Hall

6:00 - 7:00 PM

- CalDesal Hosted Mixer
- Jacobs Hosted Mixer

6:00 - 7:15 PM

- Women in Water Hosted Reception

THURSDAY, MAY 11

7:30 AM - Noon

- Registration

8:00 AM - 9:30 AM

- Exhibitor Demonstrations
- Networking Continental Breakfast in the Exhibit Hall *(Ticket Required)*

8:30 - 9:30 AM

- Communications Media Training

8:30 - 10:45 AM

- Ethics Training (AB 1234) - *Limited Seating*

9:30 AM - 10:00 AM

- Prize Drawings in the Exhibit Hall

10:15 - 11:45 AM

- Attorney Program ★
- Finance Program ★
- Region Forum ★
- Statewide Forum ★
- Water Industry Trends Program ★
- Roundtable Talk

Noon - 1:45 PM

- General Luncheon *(Ticket Required)* ★

2:00 - 3:30 PM

- Innovation Forum ★
- Region Forum ★
- Water Industry Trends Program 1 ★
- Water Industry Trends Program 2 ★

3:30 - 4:30 PM

- Closing Reception

Last modified: January 20, 2023

Registration required to attend any part of ACWA's Spring Conference & Expo, including Tuesday, May 9 complimentary committee meetings. See www.acwa.com for health & safety attendance requirements.

**RESOLUTION NO. 2023-XX
OF THE BOARD OF DIRECTORS OF THE
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT
APPROVING ATTENDANCE TO ASSOCIATION OF CALIFORNIA
WATER AGENCIES CONFERENCES**

WHEREAS, the Board of Directors (Board) of the Georgetown Divide Public Utility District (District) is an active member of the Association of California Water Agencies (ACWA); and

WHEREAS, attending ACWA Conferences is advantageous to the District; and

WHEREAS, the 2023 DC Conference features programs covering implementation of the infrastructure Investment and Jobs Act ; and

WHEREAS, the Monterey Spring Conference offers an opportunity to learn about new trends, best practices, innovations and solutions in the water industry; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT APPROVES RESOLUTION 2023-XX FOR ATTENDANCE TO THE ASSOCIATION OF CALIFORNIA WATER AGENCIES CONFERENCES

PASSED AND ADOPTED by the Board of Directors of the Georgetown Divide Public Utility District at a meeting of said Board held on the 14th day of February, by the following vote:

AYES:

NOES:

ABSENT/ABSTAIN:

Mitch MacDonald, President, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Attest:

Nicholas Schneider, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

CERTIFICATION

I hereby certify that the foregoing is a full, true and correct copy of Resolution 2023-XX duly and regularly adopted by the Board of Directors of the Georgetown Divide Public Utility District, County of El Dorado, State of California, on this 14th day of February 2023.

Nicholas Schneider, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

DRAFT

REPORT TO THE BOARD OF DIRECTORS

Board Meeting of February 14, 2023

Agenda Item No. 8L



AGENDA SECTION: ACTION ITEM

SUBJECT: TELECONFERENCING POLICY CHANGE

PREPARED BY: Carol Arquette, Interim Clerk

Approved By: Nicholas Schneider, General Manager

BACKGROUND

On September 13, 2022, California Governor Gavin Newsom signed into law Assembly Bill (AB) 2449. The new amendments to the Brown Act went into effect on January 1, 2023. AB 2449 notably sets rules for a Board member's remote participation. Agencies may continue to hold zoom meetings at which the public participates remotely.

DISCUSSION

AB 2449 allows the legislative body of a local agency to use teleconferencing without complying with the traditional Brown Act teleconferencing rules or the modified AB 361 rules in certain circumstances. To do so, however, at least a quorum of the members of the legislative body must participate in person from a singular physical location identified on the agenda, which location will be open to the public and within the boundaries of the local agency. The legislative body must also provide either a two-way audiovisual platform or two-way telephonic service and a live webcasting of the meeting to allow the public to remotely hear and visually observe the meeting, and address the legislative body.

FISCAL IMPACT

None

CEQA ASSESSMENT

Not a CEQA Project

RECOMMENDED ACTION

Staff recommends the Board of Directors of the Georgetown Divide Public Utility District adopt the attached Resolution 2023-XX approving the Teleconferencing Policy Change

ALTERNATIVES

Alternative actions available to the Board; i.e. (a) Review the proposed policy; (b) Reject the Resolution.

ATTACHMENTS

1. Proposed Teleconferencing Policy Change
2. Resolution 2023-XX Approving Teleconferencing Policy Change

POLICY TITLE: BOARD MEMBER TELECONFERENCING POLICY

POLICY NUMBER: 4240

4240.1 — Policy:

The foregoing policy (“Policy”) shall govern the Agency’s use of teleconferencing for the attendance at Meetings of the members of its Legislative Bodies. The Global Teleconference Policies (Article III) and Standard Teleconferencing Procedures (Article IV) shall apply in all instances, except when (1) a Board member has either “just cause” or an “emergency circumstance” so as to permit the use the Expanded Teleconferencing Procedures (Article V) or (2) a State of Emergency issued by the California Governor is in effect sufficient to trigger the use of the Emergency Teleconferencing Procedures (Article VI).

4240.2 — Definitions:

Unless otherwise defined herein, the following definitions shall apply to this policy:

Agency – shall refer to the public agency that is the subject of this Policy.

Brown Act / Ralph M. Brown Act – shall reference to Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the California Government Code, known as the “Ralph M. Brown Act” pursuant to Government Code section 54950.5, as such shall be amended from time to time.

Legislative Body – shall have the same meaning as provided by Government Code section 54952, including the Agency’s governing board.

Member – shall have the same meaning as provided by Government Code section 54952.1.

Meeting — shall have the same meaning as provided by Government Code section 54952.2.

State – shall mean the State of California.

State of Emergency – shall mean a state of emergency proclaimed by the California Governor or such others as may be empowered pursuant to Section 8625 of the California Emergency Services Act, as set forth in Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2 of the California Government Code.

Teleconferencing – attendance from different locations, other than the physical location of a meeting, by way of an audio device, whether it be telephone, audio-only internet connection, or otherwise.

Videoconferencing – attendance from different locations, other than the physical location of a meeting, by way of a dual audio and visual device, whereby participants can be both seen and heard. For purposes of this policy, videoconferencing may include attendance by way of a single device or software package, or attendance via an audio-device with synced camera or webcasting.

4240.3 — Global Teleconferencing Policies:

At the discretion of the Legislative Body and/or the General Manager, any employee, consultant, vendor, or individual presenting or attending a Meeting of a Legislative Body, other than a Member of the Legislative Body, shall be permitted to attend via teleconference or videoconference without compliance with the rules or conditions set forth herein. Members of a Legislative Body, inclusive of the governing board members and other committees or bodies required to comply with the Brown Act, may only participate via tele-conference or videoconference as permitted by the foregoing policies.

To the extent a Member desires to attend a Meeting via teleconference or videoconference, the Member shall generally be required to comply with the foregoing “Standard Teleconferencing Procedures” (Article IV) unless the circumstances exist to justify the use of the “Expanded Teleconferencing Procedures” (Article V) or “Emergency Teleconferencing Procedures” (Article VI).

A Member not in compliance with any such procedures, as applicable, shall not be permitted to attend a Meeting via Teleconference or Videoconference for any purpose, whether to participate in or listen to such meeting.

In all instances in which a Member is attending a Meeting via teleconference or videoconference, teleconferencing or videoconferencing, the Legislative Body shall:

1. Take all votes by roll-call;
2. Conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and public appearing before the Legislative Body;
3. Provide notice and post agendas as otherwise required by the Brown Act;
4. Permit members of the public access to the meeting and an opportunity to address the Legislative Body as required by the Brown Act.

4240.4 — Standard Teleconferencing Procedures:

A Member may attend a Meeting via teleconference or videoconference if the following conditions are satisfied:

1. At least a quorum of the members of the Legislative Body participates in the meeting from locations within the boundaries of the agency;
2. The agenda posted for the Meeting is posted at all teleconference locations, each of which are identified in the notice and the agenda for the meeting;
3. Each teleconference location is accessible to the public, and the public is permitted to comment at each teleconference location.

4240.5 — Expanded Teleconferencing Procedures

(Effective Through January 1, 2026):

A Member may attend a Meeting via videoconference only (teleconference will not be permitted under these procedures), without the need to comply with the Standard Teleconferencing Procedure requirements to notice and post at the agenda locations or make such locations accessible to the public, if the following conditions are satisfied:

1. At least a quorum of the members of the Legislative Body participate in-person from a single physical location accessible to the public, which is within the boundaries of the agency and clearly identified in the posted agenda;
2. The public is permitted to attend the meeting either by teleconference or videoconference in a manner such that the public can remotely attend and offer real-time comment during the meeting;
3. Notice of the means by which the public can remotely attend the meeting via teleconference or videoconference and offer comment during the meeting is included within the posted agenda;
4. The Member(s) attending remotely have either “just cause” or an “emergency circumstance” that justifies their attendance via videoconference.
 - a. A Member shall only have “just cause” for remote attendance if such participation is for one of the following reasons:
 - i. To provide childcare or caregiving need to a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner, with such terms having the same meaning as those terms are defined in Government Code section 12945.2;
 - ii. Due to a contagious illness that prevents the Member from attending in-person;
 - iii. Due to a need related to a physical or mental disability as defined in Government Code sections 12926 and 12926.1 not otherwise accommodated; and
 - iv. Due to travel while on official business of the Legislative Body or another state or local agency
 - b. A Member shall have an “emergency circumstance” if such participation is due to a physical or family medical emergency that prevents the Member from attending in person.
5. The Member(s) have not attended a meeting remotely on the basis of “just cause” for more than two meetings in the current calendar year; and
6. The Member(s) have not attended a meeting remotely on the basis of “just cause” or “emergency circumstance” for more than three consecutive months or more than *[agency to number that would be 20% of the regular meetings of an agency in a calendar year, rounded down to nearest whole number]* in a calendar year.
7. The Legislative Body has, and has implemented, a procedure for receiving and swiftly resolving re-quests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the Legislative Body shall also give notice of the procedure for receiving and resolving requests for accommodation.

In order to utilize the Expanded Teleconference Procedures, a Member shall:

1. For a “just cause” circumstance, notify the Legislative Body at the earliest opportunity, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstance relating to their need to appear remotely at the given meeting;

2. For an “emergency circumstance,” request to participate at a meeting due to an “emergency circumstance” as soon as possible, preferably before the posting of the agenda but up to the start of the meeting, with such request including a general description of the circumstances relating to their need to appear remotely at the given meeting, though any description for emergency circumstances need not exceed 20 words and need not include any medical diagnosis or disability or personal medical information exempt from disclosure by law;
3. The Member shall publicly disclose at the meeting before any action is taken whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the Member’s relationship with such individuals;
4. Participate through videoconferencing, with both audio and visual technology.

Upon receipt of a request from a Member to utilize the Expanded Teleconference Procedures, the Legislative Body shall:

1. Take action by majority vote on a request to participate remotely due to an “emergency circumstance” at its earliest opportunity, which may be taken as a noticed agenda item or as an added item if sufficient time was not provided to place the proposed action on the agenda;
2. In the event of a disruption that prevents the broadcast of the meeting to members of the public, or in the event of a disruption within the Agency’s control that prevents members of the public from offering public comment using the teleconferencing or videoconferencing options, take no further action during a meeting until such access is restored.

4240.6 — Emergency Teleconferencing Procedures

(Effective Through January 1, 2024):

Notwithstanding the Standard Teleconferencing Procedures, a Legislative Body may elect to use these “Emergency Teleconferencing Procedures” to allow teleconferencing if any of the following circumstances apply:

1. 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;
2. The Legislative Body holds a meeting during a proclaimed State of Emergency for the purpose of determining, by a majority vote, whether as a result of the emergency, meeting in person would pre-sent imminent risks to the health or safety of attendees; or
3. The Legislative Body holds a meeting during a proclaimed State of Emergency and the Legislative Body has determined, by majority vote, that as a result of the emergency, meeting in person would present imminent risks to the health and safety of attendees.

If utilizing the Emergency Teleconferencing Procedures, the Legislative Body shall:

1. Give notice in the agenda for such Meeting of the means by which members of the public may access the meeting and offer public comment via a

teleconferencing or videoconferencing option, which shall include an opportunity for public comment in real-time;

2. In the event of a disruption that prevents the broadcast of the meeting to members of the public, or in the event of a disruption within the Agency's control that prevents members of the public from offering public comment using the teleconferencing or videoconferencing options, take no further action during a meeting until such access is restored.

3. [Policy Should be Amended To Reflect Applicable Circumstance for Agency]:

If agency provides a timed public comment period: not close the public period for an agenda item, or the opportunity to register to comment, until that timed comment period has elapsed; *If agency has no timed public comment period, but takes public comment separately on each agenda item:* allow a reasonable amount of time per agenda item to allow members of the public the opportunity to provide public comment, including time for members of the public to register to comment or otherwise be recognized for the purpose of providing public comment; *If agency provides a general public comment period for all agenda items:* not close the public comment period, or the opportunity to register to comment, until the timed general public comment period has elapsed.

The Legislative Body may continue use of the Emergency Teleconferencing Procedures for as long as the State of Emergency remains active, provided that, not later than 30 days after teleconferencing for the first time, and every 30 days thereafter, the Legislative Body finds by majority vote that:

1. The Legislative Body has reconsidered the circumstance of the State of Emergency; and
2. Any of the following circumstances exist:
 - a. The State of Emergency continues to directly impact the ability of the members to meet safely in person; or
 - b. State or local officials continue to impose or recommend measures to promote social distancing.

In the event of the use of these Emergency Teleconferencing Procedures, it shall not be necessary for the Agency to provide a physical location from which the public may attend or comment.

4240.7 — Miscellaneous Provisions:

With respect to the Standard Teleconferencing Procedures, Expanded Teleconferencing Procedures, and Emergency Teleconferencing Procedures set forth herein, such are intended to comply with Government Code sections 54953(b), (f), and (e), respectively, and, as such, in the event of a conflict between this Policy and such statutory provisions, the statutory provisions shall control and be implemented as if set forth in full in this Policy.

This AALRR handout is intended for informational purposes only and should not be relied upon in reaching a conclusion in a particular area of law. Applicability of the legal principles discussed may differ substantially in individual situations. Receipt of this or any other

AALRR presentation/publication does not create an attorney-client relationship. The Firm is not responsible for inadvertent errors that may occur in the publishing process. This handout should be utilized in conjunction with your legal counsel to develop an agency specific policy

RESOLUTION NO. 2023-XX
OF THE BOARD OF DIRECTORS OF THE
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT
APPROVE TELECONFERENCING POLICY CHANGE

WHEREAS, On September 13, 2022, California Governor Gavin Newsom signed Assembly Bill (AB) 2449 into law; and

WHEREAS, AB 2449 changes attendance rules for a Board member's remote participation in meetings under Ralph M. Brown Act's Opening Meeting Laws; and

WHEREAS, AB 2449 provides complex and restrictive alternative teleconference procedures:

WHEREAS, The new provisions are in addition to those allowed by AB 361 (so long as there is a state of emergency) and those allowed by traditional teleconferencing rules; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT THAT the proposed Teleconferencing Policy change (attached) be adopted.

PASSED AND ADOPTED by the Board of Directors of the Georgetown Divide Public Utility District at a meeting of said Board held on the 14th day of January 2020, by the following vote:

AYES:

NOES:

ABSENT/ABSTAIN:

Mitch MacDonald, President, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Attest:

Nicholas Schneider, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

CERTIFICATION

I hereby certify that the foregoing is a full, true and correct copy of Resolution 2023-XX duly and regularly adopted by the Board of Directors of the Georgetown Divide Public Utility District, County of El Dorado, State of California, on this 14th day of February.

Nicholas Schneider, Clerk and Ex Officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

ATTACHMENT:

1. Teleconferencing Policy Change

DRAFT