

RESOLUTION NO. 2021-22 002

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SACRAMENTO VALLEY CHARTER SCHOOL PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GORVERNOR GAVIN NEWSOM DATED MARCH 4, 2020, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE GOVERNING BODY OF SACRAMENTO VALLEY CHARTER SCHOOL PURSUANT TO BROWN ACT PROVISIONS. THE SCHOOL BOARD IS REQUIRED TO TAKE ACTION TO EXTEND THE LOCAL EMERGENCY NOT TO EXCEED 30-DAY PERIODS. THE ABILITY TO ADOPT REOSLUTIONS TO SUSPEND THE SPECIFIC BROWN ACT PROVISIONS RELATING TO TELECONFERCING EXPIRES ON JANUARY 1, 2024.

WHEREAS, the Sacramento Valley Charter School is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of Sacramento Valley Charter School's governing body 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 School's governing body conduct its business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a governing 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 School'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 exist in the School's areas of attendance, specifically, the Governor's March 4, 2020 declaration of a State of Emergency for COVID-19; and,

WHEREAS, Yolo County and Sacramento County have issued continuing and revised health orders in July 2021 regarding wearing masks in all public indoor settings regardless of vaccination status,

WHEREAS, the Board of Directors does hereby find that COVID-19, its variants and masking orders and similar conditions may cause imminent risk to participants, has caused, and will continue to cause, conditions of peril to the safety of persons within the School that are likely to be beyond the control of services, personnel, equipment, and facilities of the School, and desires to proclaim a local emergency 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 Board of Directors does hereby find that the governing body of Sacramento Valley Charter School 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, SACRAMENTO VALLEY CHARTER SCHOOL HAS TAKEN AND CONTINUES TO TAKE MEASURES FOR PUBLIC PARTICIPATION THROUGH ZOOM LINKS AND A TELECONFERENCING OPTION FOR MAXIMUM INCLUSION OF THE PUBLIC.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF SACRAMENTO VALLEY CHARTER SCHOOL 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 area served by the School, and due to the age of many of the Board Members, Staff, and public participants as well as the age of students being served being too young to receive vaccinations at this time, meeting in person poses imminent risk of the spread of COVID-19 and its variants.

Section 3. Ratification of Governor's Proclamation of a State of Emergency. 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 and the local orders from July 2021 that have not expired, been rescinded or revised.

Section 4. Remote Teleconference Meetings. The staff and governing body of Sacramento Valley Charter School 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 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of December 10, 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 governing body of Sacramento Valley Charter School may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of Sacramento Valley Charter School, this 10th day of November, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN: