



Coachella Valley Mosquito and Vector Control District

43420 Trader Place, Indio, CA 92201 | (760) 342-8287 | cvmosquito.org

SPECIAL MEETING of the Board of Trustees Via Zoom

Friday, December 16, 2022

2:30 p.m.

DRAFT-AGENDA

The Board of Trustees will take action on all items on the agenda.

Materials related to an agenda item that are submitted to the Board of Trustees after distribution of the agenda packets are available for public inspection in the Clerk of the Board's office during normal business hours and on the District's website.

Pursuant to Assembly Bill 361, this meeting will be conducted by video and/or teleconference. There will be no in-person access to the meeting location. To view/listen/participate in the meeting live, please join by calling 1-888-475-4499 (toll-free), meeting ID: [899 6188 7781](https://us02web.zoom.us/j/89961887781), or click this link to join: <https://us02web.zoom.us/j/89961887781>. Written public comment may also be submitted to the Clerk of the Board by 11:30 a.m. on December 16, 2022, at mtallion@cvmosquito.org. Transmittal prior to the meeting is required. Any correspondence received during or after the meeting will be distributed to the Board as soon as practicable and retained for the official record.

Assistance for those with disabilities: If you have a disability and need an accommodation to participate in the meeting, please call the Clerk of the Board at (760) 342-8287 for assistance so the necessary arrangements can be made.

- 1. Call to Order** – Benjamin Guitron, President
- 2. Pledge of Allegiance**
- 3. Roll Call**

4. Public Comments

Those wishing to address the Board should send an email to the Clerk of the Board at 11:30 a.m. on December 16, 2022, at mtallion@cvmosquito.org, or appear at the meeting to provide public comments. Please note that, as stated above, the meeting will be conducted remotely.

A. **PUBLIC Comments** — AGENDA ITEMS: This time is for members of the public to address the Board of Trustees on agenda items (Open and Closed Sessions). Comments are limited to three (3) minutes per speaker per agenda item.

All comments are to be directed to the Board of Trustees and shall be devoid of any personal attacks. Members of the public are expected to maintain a professional, courteous decorum during public comments.

5. Discussion and/or approval of Resolution 2022-28 authorizing remote teleconferencing meetings for the period December 16, 2022 – January 14, 2023 – Jeremy Wittie, M.S., General Manager (Pg.)

6. Adjournment



Certification of Posting

I certify that on December 15, 2022, I posted a copy of the foregoing agenda near the regular meeting place of the Board of Trustees of the Coachella Valley Mosquito & Vector Control District and on the District’s website, said time being at least 24 hours in advance of the meeting of the Board of Trustees (Government Code Section 54954.2)

Executed at Indio, California, on December 15, 2022.

Melissa Tallion, Clerk of the Board



**Coachella Valley Mosquito and
Vector Control District**

December 16, 2022

Staff Report

Agenda Item:

Discussion and/or approval of Resolution 2022-28 authorizing remote teleconferencing meetings for the period December 16, 2022 - January 14, 2023 -
Jeremy Wittie, M.S., General Manager

Background:

The Board of Trustees met on November 8, 2022, and adopted Resolution 2022-26 proclaiming a local emergency, ratifying the proclamation of a state of emergency by Executive Order N-09-21, and authorizing remote teleconferencing meetings of the Legislative bodies of the Coachella Valley Mosquito and Vector Control District for the period of November 13, 2022 - December 12, 2022, pursuant to the provisions of the Ralph M. Brown act.

If a local agency passes a resolution by majority vote that meeting in person during the state of emergency would present imminent risks to the health or safety of attendees, the resolution will permit meeting under the provisions of AB 361 for a maximum period of 30 days. After 30 days, the local agency would need to renew its resolution, consistent with the requirements of AB 361, if the agency desires to continue meeting under the modified Brown Act requirements or allow the resolution to lapse.

This Resolution will cover all meetings of the Legislative Bodies.

- Board of Trustees Meetings
- Executive Committee Meetings
- Finance Committee Meetings

AB 361 provides that it will sunset on January 1, 2024.

Staff Recommendation:

Approve Resolution 2022-28 authorizing remote teleconferencing meetings for the period December 16, 2022 - January 14, 2023.

Continue to pass AB 361 resolutions to authorize remote teleconference meetings for all Board of Trustee meetings (Monthly, Executive, Finance, Ad hoc) until Governor Newsom rescinds his state of emergency addressing the COVID-19 pandemic.

Doing so will continue to allow Trustees, staff, and the public to attend and participate in meetings both in person or virtually which will enhance access to public meetings and maintain a safer meeting environment as we continue to conduct District business and navigate COVID-19 in the coming months.

Exhibits:

- Resolution 2022-28

RESOLUTION NO. 2022-28

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE
COACHELLA VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT
PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A
STATE OF EMERGENCY BY EXECUTIVE ORDER N-09-21,
AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF
THE LEGISLATIVE BODIES OF THE
COACHELLA VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT
FOR THE PERIOD DECEMBER 16, 2022 TO JANUARY 14, 2023 PURSUANT TO
PROVISIONS OF THE RALPH M. BROWN ACT**

WHEREAS, the Coachella Valley Mosquito And Vector Control District (the "District") is committed to preserving and nurturing public access and participation in meetings of the Board of Trustees; and

WHEREAS, all meetings of the District's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code §§ 54950 – 54963) (the "Brown Act"), 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, on March 4, 2020, the Governor of the State of California proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; despite sustained efforts, the virus continues to spread and is impacting nearly all sectors of California; and

WHEREAS, on February 28, 2022, the California Department of Public Health website was updated and strongly recommends that all persons, regardless of vaccine status, continue indoor masking; and

WHEREAS, given the continued heightened risks of the predominant variant of COVID-19 in the community, holding meetings with all members of the legislative body, staff, and the public in attendance in person in a shared indoor meeting space would pose an unnecessary and immediate risk to the attendees; and

WHEREAS, the Board of Trustees does hereby find that the ongoing risk posed by the highly transmissible COVID-19 virus will continue to cause conditions of peril to the safety of persons within the District which are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and the Board of Trustees desires to proclaim a local emergency and ratify the proclamation of a state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency, the Board of Trustees does hereby find that the legislative bodies of the District shall conduct the District's meetings without compliance with Government Code section 54953(b)(3), as authorized by Government Code section 54953(e), and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in Government Code section 54953(e)(2); and

WHEREAS, all meeting agendas stating meeting dates, times, and the manner in which the public may attend and offer public comment by call-in option or internet-based service option shall be posted, at a minimum, on the District's website, and at the District's main office.

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE COACHELLA VALLEY MOSQUITO AND VECTOR CONTROL 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 of Trustees hereby proclaims that a local emergency now exists throughout the District, and the ongoing risk posed by the highly transmissible COVID-19 virus has caused and will continue to cause, conditions of peril to the safety of persons within the District; furthermore, the guidance of Riverside County Public Health recommends physical distancing and face coverings.

Section 3. Ratification of Governor’s Proclamation of a State of Emergency.

The Board of Trustees hereby ratifies the Governor of the State of California’s Proclamation of a State of Emergency, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings.

The President of the Board of Trustees, the District’s General Manager, and legislative bodies of the District 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.

This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) January 14, 2023, or such time the Board of Trustees adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the District may continue to teleconference without compliance with Government Code section 54953(b)(3).

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Section 6. Certification.

The Clerk of the Board of Trustees shall certify as to the adoption of this Resolution and shall cause the same to be processed in the manner required by law.

PASSED, ADOPTED, AND APPROVED, this 16th day of DECEMBER 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

**Benjamin Guitron, President
Board of Trustees**

ATTEST:

Melissa Tallion, Clerk of the Board

APPROVED AS TO FORM:

Lena D. Wade, General Counsel

REVIEWED:

Jeremy Wittie, M.S., General Manager