

RESOLUTION NO. 22-01

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORTH CENTRAL FIRE PROTECTION DISTRICT PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY N-21-21 ISSUED ON NOVEMBER 10, 2021 AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF THE NORTH CENTRAL FIRE PROTECTION DISTRICT FOR THE PERIOD FROM JANUARY 27, 2022 TO FEBRUARY 26, 2022 PURSUANT TO BROWN ACT PROVISIONS.

- A. **WHEREAS**, the North Central Fire Protection District (the “District”) is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and
- B. **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), so that any member of the public may attend, participate, and watch the District’s legislative bodies conduct their business; and
- C. **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
- D. **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
- E. **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
- F. **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
- G. **WHEREAS**, such conditions now exist, specifically, by the Governor’s Order N-21-21, the Governor has extended the order declaring a State of Emergency due to the impacts of COVID-19; and
- H. **WHEREAS**, Fresno County has recommended continued social distancing to combat the imminent risk to the public health and safety due to COVID-19; and
- I. **WHEREAS**, the Board of Directors does hereby find that such conditions has caused, and will continue to cause, conditions of peril to the safety of persons within the District’s boundaries that are likely to be beyond the control of District services, personnel, equipment, and facilities, and desires to acknowledge a local emergency and ratify the proclamation of state of emergency by the Governor of the State of California; and
- J. **WHEREAS**, the Board of Directors does hereby find that the legislative bodies of the District 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

K. **WHEREAS**, THE DISTRICT shall ensure that the public has the opportunity to participate live in all electronic meetings of the District’s other legislative bodies during all public comment periods.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE NORTH CENTRAL FIRE PROTECTION 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 Directors hereby acknowledges that a local emergency now exists throughout Fresno County within the District’s and full in-person meetings could cause an imminent risk to the Directors, staff and public.

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 November 10, 2021.

Section 4. Remote Teleconference Meetings. The agency staff 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 of Resolution. This Resolution shall take effect on January 27, 2022, and shall be effective until the earlier of (i) February 26, 2022, 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 legislative bodies of the District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

Adopted and Approved by the Board of Directors of the North Central Fire Protection District this 27th of January 2022, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Ken Abrahamian, President
North Central Fire Protection District

ATTEST:

Rusty Nonini, Board Vice-Chair
North Central Fire Protection District