



**Vina Groundwater  
Sustainability Agency**  
308 Nelson Avenue  
Oroville, CA 95965  
(530) 552-3592

## **VINA GROUNDWATER SUSTAINABILITY AGENCY BOARD MEETING**

Meeting Agenda  
October 13, 2021, 5:30 p.m.  
**ONLINE MEETING ONLY VIA ZOOM**

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*Materials related to an item on this Agenda are available for public inspection in the City of Chico Public Works Operation & Maintenance Office at 965 Fir Street, Chico, during normal 8 am to 5 pm business hours or online at <https://www.vinagsa.org/>*

### **PUBLIC PARTICIPATION:**

This meeting is being conducted via teleconference in accordance with Executive Order N-25-20 and N-29-20. Members of the public may virtually attend the meeting remotely using the ZOOM platform.

The public may listen to and/or participate in the Vina Groundwater Sustainability Agency (GSA) Board Meetings via landline or mobile telephone or via computer, with both video and audio enabled or audio only. If you wish to comment on an item, but do not wish to participate during the meeting, the public may submit comments prior to the meeting via email to [vinagsapubliccomments@chicoca.gov](mailto:vinagsapubliccomments@chicoca.gov). Please submit emails with the subject line "**PUBLIC COMMENT ITEM NO. \_\_\_**". The public is encouraged to not send more than one email per item or comment on numerous items in one email.

### **ZOOM MEETING INFORMATION:**

To access the live meeting, you have the following options:

1. Join Zoom Meeting
  - a. <https://us02web.zoom.us/j/86983600705>
2. From a web browser <https://zoom.us/join>
  - a. When prompted, use Meeting ID: 869 8360 0705
3. Directly from your mobile phone you can tap:
  - a. +16699006833, 86983600705# US (San Jose)
4. Dial-in using your landline or mobile phone to:
  - a. 1 669 900 6833
  - b. When prompted, use Meeting ID: 869 8360 0705
5. **If you are having any issues connecting to the meeting, please call or text Kamie Loeser, Durham Irrigation District, at (530) 680-7222 for assistance.**

Please note that when you access the meeting, ***you will be placed into a waiting room and admitted*** into the meeting by the meeting host

**Agenda Prepared: 10/8/2021**  
**Agenda Posted: 10/8/2021**  
**Prior to: 5:30 p.m.**



Please contact the City of Chico Public Works Department at (530) 894-4200 if you require an agenda in an alternative format or if you need to request a disability-related modification or accommodation. This request should be received at least three working days prior to the meeting.

1. **VINA GROUNDWATER SUSTAINABILITY AGENCY (GSA) REGULAR BOARD MEETING.**

1.1. Call to Order - Chair Tuchinsky

1.2. Roll Call

2. **CONSENT AGENDA** – NONE

3. **ITEMS REMOVED FROM CONSENT** – NONE

4. **BUSINESS FROM THE FLOOR**

Members of the public may address the Board at this time on any matter not already listed on the agenda; comments are limited to three minutes. The Board cannot take any action at this meeting on requests made under this section of the agenda.

5. **NOTICED PUBLIC HEARINGS** - NONE

6. **REGULAR AGENDA**

6.1. **CONSIDERATION OF A RESOLUTION AUTHORIZING TELECONFERENCE MEETINGS FOR BOTH THE VINA GSA BOARD AND STAKEHOLDER ADVISORY COMMITTEE (SHAC) MEETINGS.**

The Board will consider a resolution authorizing remote teleconference meetings of the Vina GSA Board and its Stakeholder Advisory Committee for the period of 30-days.

**Recommendation:** The Management Committee recommends approval of the following resolution.

**RESOLUTION OF THE VINA GROUNDWATER SUSTAINABILITY AGENCY BOARD AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD AND ITS STAKEHOLDER ADVISORY COMMITTEE FOR 30 DAYS PURSUANT TO THE RALPH M. BROWN ACT AND CALIFORNIA ASSEMBLY BILL 361.**

8. **ADJOURNMENT** – The Vina GSA Board meeting will adjourn to an adjourned joint meeting of the Vina GSA Board and the Rock Creek Reclamation District GSA Board to be held remotely via Zoom and in-person in the Chico City Council Chamber at 421 Main Street, Chico CA at 5:30 p.m. on November 15, 2021.



**Vina  
Groundwater Sustainability Agency  
Agenda Transmittal**

**Agenda Item: 6.1**

**Subject:** Resolution Authorizing Teleconference Meetings

**Contact:** Linda Herman

**Phone:** 530.896.7800

**Meeting Date:** 10/13/21

**Regular Agenda**

**Department Summary:**

On September 16, 2021, Governor Newsom signed AB 361 to amend the Brown Act to allow legislative bodies to meet via teleconference during a proclaimed state of emergency in accordance with procedures established by AB 361 rather than under the Brown Act's more narrow standard rules. If the Vina GSA Board desires to continue to have the Board and its Stakeholder Advisory Committee (SHAC) the ability to meet remotely via teleconference without meeting the narrower standard Brown Act rules, the Vina GSA Board is required to adopt a resolution making the findings required by AB 361.

The Vina GSA Board may meet using the alternative rules of AB 361 if there is (1) a current state of emergency declared by the Governor pursuant to California Government Code section 8625 and either (2) state or local officials have imposed or recommended measures to promote social distancing or (3) the Vina GSA Board has met or is meeting to decide by a majority vote that meeting in person presents imminent risks to the health or safety of attendees.

On March 4, 2020, Governor Gavin Newsom issued a Proclamation of State of Emergency, which remains in effect today. Additionally, the Centers for Disease Control indicates that COVID-19 is a highly transmissible virus that is spread when an infected person breathes out droplets and very small particles that contain the virus, and such droplets and particles are breathed in by other people.<sup>12</sup> Since June of 2021, a more infectious variant of the virus, known as the Delta Variant, has emerged and now accounts for the vast majority of COVID-19 cases.

Based on the existing state of emergency and the potential imminent risks to attendees of in-person meetings, the Vina GSA Board desires for the Board and its SHAC to meet remotely if necessary. Adoption of the proposed resolution, which is attached at Attachment 1, will enable the Vina GSA Board and the SHAC to meet via teleconference pursuant to AB 361 and within 30 day reconsider the determination for subsequent teleconference meetings. The resolution does not require the Vina GSA Board to hold meetings via teleconference, but rather provides it as an option if so needed.

If the authorization to meet by teleconference is not approved by a majority vote of the Board, then tonight's meeting will adjourn after this agenda item, and future Vina GSA Board and SHAC meetings will be in-person meetings.

**Fiscal Impact:** None

**Staff Recommendation:** The Management Committee recommends approval of the following Resolution:

RESOLUTION OF THE VINA GROUNDWATER SUSTAINABILITY AGENCY BOARD AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD AND ITS STAKEHOLDER ADVISORY COMMITTEE FOR 30 DAYS PURSUANT TO THE RALPH M. BROWN ACT AND CALIFORNIA ASSEMBLY BILL 361.

**Attachments:**

Attachment 1 - Resolution

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE VINA GROUNDWATER SUSTAINABILITY AGENCY BOARD AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD AND ITS STAKEHOLDER ADVISORY COMMITTEE FOR 30 DAYS PURSUANT TO THE RALPH M. BROWN ACT AND CALIFORNIA ASSEMBLY BILL 361.**

**WHEREAS**, all meetings of the Vina Groundwater Sustainability Agency Board (“Board”) and its Stakeholder Advisory Committee (“SHAC”) are open and public, as required by the Ralph M. Brown Act (Cal. Gov’t Code section 54950 *et seq.*), so that any member of the public may attend, participate, and view the SHAC’ conduct while conducting 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 requirements; and

**WHEREAS**, Government Code section 54953(e) requirements include but are not limited to (1) the existence of a state of emergency declared by the Governor pursuant to Government Code section 8625 and (2) State or local officials have imposed or recommended measures to promote social distancing; and

**WHEREAS**, on March 4, 2020, Governor Gavin Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic and as of the date of this Resolution, the proclaimed state of emergency remains in effect; and

**WHEREAS**, on March 17, 2020, Governor Newsom issued Executive Order N-29-20, which suspended and modified the teleconferencing requirements under the Brown Act (California Government Code Section 54950 *et seq.*) to allow local legislative bodies to hold public meetings via teleconference; and

**WHEREAS**, on June 11, 2021, the Governor issued Executive Order N-08-21, which extended the provisions of N-29-20 concerning the conduct of public meetings through September 30, 2021, and the Governor subsequently signed legislation revising Brown Act requirements for teleconferenced public meetings (Assembly Bill 361, referred to hereinafter as “AB 361”); and

**WHEREAS**, the Board has considered the circumstances of the state of emergency, including all information related to this matter, the associated staff report and other information relating to COVID-19 and AB 361; and

**WHEREAS**, based on the foregoing, the Board finds that meeting in person could pose imminent health and safety risks to attendees; and

**WHEREAS**, in light of the foregoing, the Board desires to continue to have the flexibility to meet via tele/video conference and the Board finds that it and its SHAC shall be permitted to conduct their meetings by teleconferencing without compliance with Government Code section 54953(b)(3) pursuant to section 54953(e), and such meetings shall comply with the requirements to provide the public with access to the meetings as prescribed by section 54953(e)(2).

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Directors of the Vina GSA hereby finds as follows:

1. The facts set forth in the above recitals are true and correct and incorporated into this resolution by reference.
2. Pursuant to the Governor’s COVID-19 State of Emergency Declaration issued on March 4, 2020, the proclaimed State of Emergency in the State of California currently exists.
3. That meeting in person in the next 30 days could pose imminent health and safety risks to attendees; and

4. That the Board approves meeting via teleconference for all Regular and Special Meetings of the Board and the SHAC for the 30 days following this resolution, in accordance with Government Code Section 54953(e)(1)(C) and other applicable provisions of the Brown Act.
5. This Resolution shall take effect immediately upon its adoption and shall be effective for 30 days, or at such time the Board adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Board and its SHAC may continue to teleconference without compliance with Section 54953(b)(3) of the Brown Act.

**THIS RESOLUTION IS PASSED AND ADOPTED** by the Vina Groundwater Sustainability Agency Board this 13<sup>th</sup> day of October 2021, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Evan Tuchinsky, Chair  
Vina Groundwater Sustainability Agency

ATTEST:

By: \_\_\_\_\_  
Kelly Peterson  
Vina Groundwater Sustainability Agency Administrator