



Topic: **Reservoir Committee Agenda Item 3.4**

August 20, 2021

Subject: **Resuming In-Person Public Meetings**

Requested Action:

Review and comment on update to reinitiation of Reservoir Committee (RC) and Authority Board (AB) meetings under standard statutory requirements starting in September 2021.

Detailed Description/Background:

Last month the Reservoir Committee directed staff to reinitiate meetings under standard statutory requirements starting with the September 22 Joint Meeting with the AB to occur in Maxwell. Since then, there has been changes to various county health directives across the State that may affect some committee members ability to attend the September meeting, including an indoor mask mandate in Colusa County starting August 17. However, to date, no changes have been made to the Governor's executive orders which removed the exceptions to statutory requirements requiring all public agencies resume normal meeting protocols by September 30,2021.

From a strictly Brown Act compliance standpoint, RC members have flexibility to attend the September meeting in person or not because in either case the Governor's exceptions still apply. To allow for individual preference, the staff will not initiate noticing remote attendance until the October meeting.

Also, a question arose in the discussion last month about the applicability of the Brown Act requirement that a quorum of the body be in attendance at the physical meeting location which must occur with the jurisdiction of the body. Legal Counsel was consulted, and it was determined that the jurisdiction of the Authority is the service areas of the JPA members. The jurisdiction of the Reservoir Committee could be similarly determined, however a conservative approach would be that within the current structure of the Reservoir Committee primarily making recommendations to the Authority, the Reservoir Committee meetings take the same approach as the Authority. Therefore, application of this approach dictates a Reservoir Committee meeting locations within the Authority's area, which has traditionally been Maxwell and Sacramento, and that a quorum of the body must be present in this location.

Prior Action:

July 2021 – Approved to reinitiate Reservoir Committee and Authority Board meetings under standard statutory requirements starting in September 2021.

Fiscal Impact/Funding Source: None.

Staff Contact: Jerry Brown