



**FAIRBANKS RANCH
COMMUNITY SERVICES DISTRICT**

**AGENDA
BOARD OF DIRECTORS SPECIAL MEETING
Monday, March 7, 2022, 6:00 p.m.**

**THIS MEETING WILL BE HELD VIA TELECONFERENCE AS
AUTHORIZED BY DISTRICT RESOLUTION R-2022-01 PERMITTING
REMOTE TELECONFERENCE MEETINGS.**

Members of the Public may participate via ZOOM online or by telephone:

Click or enter meeting URL below:

Meeting URL: <https://dudek.zoom.us/j/95294475075>

Join by Telephone

Dial:

US: +1 669 900 6833 or +1 929 205 6099

Meeting ID: 952 9447 5075

1. Call Meeting to Order and Roll Call.

Board Members:	President:	Vacant
	Vice President:	Jim Nierman
	Director:	Julie Feld
	Director:	Rick Heymann
	Director:	Peter DeFazio
Staff:	General Manager:	Chuck Duffy
	Asst. General Mgr.:	Paula Melendrez

2. Public Comment.

AGENDA

- 3. Consideration of Resolution R-2022-01 Proclaiming a Local Emergency, Ratifying the Proclamation of a State of Emergency Issued on March 4, 2020 By Governor Newsom, and Authorizing Remote Teleconference Meetings of the Legislative Bodies of the Rancho Santa Fe Community Services District for the Period March 7, 2022 Through April 5, 2022 Pursuant to Brown Act Provisions. Recommendation:** To be made by the Board. **3-6**
- 4. Consideration of Appointing a New Director to Fill a Board Vacancy. Recommendation:** To be made by the Board. **7**

Adjournment.

This meeting is accessible to people with disabilities. Individuals who require special assistance to participate may request an alternative format of the agenda and packet materials. Notification in advance of the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting and the materials related to it. To request a disability-related modification or accommodation, please call (760) 479-4150.

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
FAIRBANKS RANCH COMMUNITY SERVICES DISTRICT PROCLAIMING A
LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF
EMERGENCY ISSUED ON MARCH 4, 2020 BY GOVERNOR GAVIN NEWSOM, AND
AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE
BODIES OF THE FAIRBANKS RANCH COMMUNITY SERVICES DISTRICT FOR
THE PERIOD MARCH 7, 2022 THROUGH APRIL 5, 2022 PURSUANT TO BROWN
ACT PROVISIONS**

WHEREAS, the Fairbanks Ranch Community Services District is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of Fairbanks Ranch Community Services 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

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 issued a Proclamation of a State of Emergency due to the outbreak of respiratory illness due to the novel coronavirus (a disease known as COVID-19) and its variants; and

WHEREAS, the ongoing COVID-19 pandemic presents a potential risk to the health and safety of individuals by indoor in-person public gatherings due to the COVID-19 virus' airborne transmittal; and

WHEREAS, the Board of Directors does hereby find that the potential continued illnesses, hospitalizations, and fatalities caused by the spread of COVID-19, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, 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 legislative bodies of the Fairbanks Ranch Community Services 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

WHEREAS, the Fairbanks Ranch Community Services District will continue to provide access to both special and regular meetings through Zoom or by teleconference. The Zoom phone number and meeting URL, and the meeting teleconference number shall be published on the agenda for every remote meeting.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE FAIRBANKS RANCH COMMUNITY SERVICES 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 hereby proclaims that a local emergency now exists throughout the District, and the ongoing COVID-19 pandemic presents a continued risk to the health and safety of individuals posed by indoor in-person public gatherings, due to the COVID-19 virus' airborne transmittal.

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.

Section 4. Remote Teleconference Meetings. The General Manager and legislative bodies of the Fairbanks Ranch Community Services 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 immediately upon its adoption and shall be effective until the earlier of December 1, 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 legislative bodies of the Fairbanks Ranch Community Services District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

Passed and Adopted by the Board of Directors of the Fairbanks Ranch Community Services District, County of San Diego, State of California, this March 7, 2022, by the following vote:

AYES:

NOES:

ABSENT:

Director, Board of Directors
Fairbanks Ranch Community Services District

STATE OF CALIFORNIA)
County of San Diego)

I, Paula Melendrez, Secretary of the Board of Directors of the Fairbanks Ranch Community Services District, County of San Diego, State of California, hereby certify that the foregoing Resolution, being Resolution R-2022-01, was duly passed, approved and adopted by the Board of Directors, approved and signed by the President, and attested by the Secretary, all at the monthly meeting of said Board held on March 7, 2022.

Witness my hand this March 7, 2022.

By: _____
Secretary of the Board of Directors
Fairbanks Ranch Community Services District



**FAIRBANKS RANCH
COMMUNITY SERVICES DISTRICT**

GENERAL MANAGER
CHUCK DUFFY

BOARD OF DIRECTORS
VACANCY
JIM NIERMAN
JULIE FELD
RICK HEYMAN
PETER DEFAZIO

MEMORANDUM

To: Board of Directors
From: Chuck Duffy, General Manager
Subject: Appointment of New Director
Date: March 7, 2022

In accordance with State law, District staff has posted the required Notices of Vacancy for the board seat previously held by Steve Charlton. The noticing period has now concluded.

We have received interest from Dan LaBouve for the vacant board seat.