

## RESOLUTION NO. 20-06-08

**WHEREAS**, by Resolution No. 20-03-06 adopted on March 17, 2020, this Board approved **Emergency Board Meeting Procedures** in response to local, state, and federal directives regarding the COVID-19 (coronavirus) pandemic and pursuant to Governor Newsom's **Executive Order N-29-20 (EO N-29-20)** issued on March 17, 2020; and

**WHEREAS**, during the period in which state or local public officials impose or recommend measures to promote social distancing, **EO N-29-20** authorizes a local legislative body or state body to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to attend and to address the local legislative body or state body; and

**WHEREAS**, pursuant to **EO N-29-20**, requirements in both the Bagley-Keene Act and the Brown Act expressly or impliedly requiring the physical presence of members, the clerk or other personnel of the body, or of the public as a condition of participation in a quorum for a public meeting are waived while **EO N-29-20** is in effect; and

**WHEREAS**, **EO N-29-20** further provides that any local legislative body that holds a meeting via teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically has satisfied any requirement that the body allow members of the public to attend the meeting and offer public comment; and

**WHEREAS**, members of the public may listen to or watch the live audio stream of SMUD Committee or Board meetings at

[http://smud.granicus.com/ViewPublisher.php?view\\_id=16](http://smud.granicus.com/ViewPublisher.php?view_id=16); and

**WHEREAS**, the Board seeks to provide the public with additional options to participate; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE BOARD OF DIRECTORS  
OF THE SACRAMENTO MUNICIPAL UTILITY DISTRICT:**

**Section 1.** This Board approves the following **Emergency Board**

**Meeting Procedures:**

- (a) Based on guidance from the California Department of Public Health and the California Governor's Office, in order to minimize the spread of the COVID-19 virus, SMUD Board and Committee Meetings are closed to the public to follow state guidelines on social distancing until further notice.
- (b) Members of the public may make either a general public comment or comment on a specific agenda item by submitting comments via email. Comments may be submitted to [PublicComment@smud.org](mailto:PublicComment@smud.org). Comments will be provided to the Board and placed into the record of the Board or Committee Meeting if it is received within two hours after the meeting ends.
- (c) Members of the public that are listening or watching the live stream of a Board or Committee meeting and wish to comment on a specific agenda item as it is being heard, may submit their comments, limited to 250 words or less, to [PublicComment@smud.org](mailto:PublicComment@smud.org). The Board President or Committee Chair may read the comments into the record, in his or her discretion, based upon such factors as the length of the agenda, the number of email comments received, and whether the Board is in danger of losing a quorum. Comments will be provided to the Board and placed into the record of the Board or Committee Meeting if it is received within two hours after the meeting ends.
- (d) Members of the public may provide live audio comments at a Board or Committee meeting. Members of the public are

strongly encouraged to pre-register to provide live audio comments, in order to provide for more efficient public comment. However, members of the public may also provide live audio comments without pre-registering at any time before or during the standard time period the agenda item is being discussed. Members of the public may pre-register or register in real time to provide live audio comments by sending an e-mail request to [PublicComment@smud.org](mailto:PublicComment@smud.org) with name and topic. More detailed information about how to provide live audio comments during a Board or Committee meeting will be posted on SMUD's website at [www.smud.org](http://www.smud.org).

- (e) Board members may choose to participate via teleconference.

**Section 2.** The **Emergency Board Meeting Procedures** shall supersede any conflicting provisions contained in the Meeting Procedures of the SMUD Board of Directors.

**Section 3.** The **Emergency Board Meeting Procedures** shall be effective as of the date of this resolution and shall remain in effect for the duration of California **Executive Order N-29-20**.

**Section 4.** These **Emergency Board Meeting Procedures** will be modified without any further Board action to be consistent with any future federal, state or local order and guidance from the California Department of Public Health.

**Section 5.** The Chief Executive Officer and General Manager, or his designee, is authorized to modify the **Emergency Board Meeting Procedures** in a manner that provides for greater public participation without any further Board action.

**Section 6.** Resolution No. 20-03-06 is superseded in its entirety.

Approved: June 18, 2020

| INTRODUCED: DIRECTOR BUI-THOMPSON |     |    |         |        |
|-----------------------------------|-----|----|---------|--------|
| SECONDED: DIRECTOR SANBORN        |     |    |         |        |
| DIRECTOR                          | AYE | NO | ABSTAIN | ABSENT |
| KERTH                             | X   |    |         |        |
| ROSE                              | X   |    |         |        |
| BUI-THOMPSON                      | X   |    |         |        |
| FISHMAN                           | X   |    |         |        |
| HERBER                            | X   |    |         |        |
| TAMAYO                            | X   |    |         |        |
| SANBORN                           | X   |    |         |        |