

RESOLUTION NO. 22-5

A RESOLUTION OF THE GOVERNING BOARD OF THE ARROYO VERDUGO COMMUNITIES JOINT POWERS AUTHORITY AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE GOVERNING BOARD AND ALL JOINT POWER AUTHORITY SUBORDINATE BODIES, FOR THE PERIOD JUNE 2, 2022- JULY 1, 2022

WHEREAS, the Arroyo Verdugo Communities Joint Powers Authority is committed to preserving and fostering public access and participation in meetings of the Governing Board and all Governing Board subordinate bodies as required by the Ralph M. Brown Act (Cal. Gov. Code §§ 54950 – 54963), so that any member of the public may attend and participate as the bodies conduct the public’s business; and

WHEREAS, the Brown Act makes special provisions for remote teleconferencing participation in meetings when the Governor has declared a state of emergency pursuant to Government Code section 8625, and either state or local officials have imposed or recommended measures to promote social distancing, or an in-person meeting would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in the Arroyo Verdugo Communities. Specifically, on March 4, 2020, Governor Gavin Newsom issued a Proclamation of a State of Emergency with regard to the COVID-19 pandemic (“State of Emergency”). Los Angeles County Health Officer has issued numerous Health Orders regarding safety protocols during the COVID-19 pandemic, most recently dated September 28, 2021. Pasadena’s Health Officer has also issued numerous Health Orders regarding

safety protocols during the COVID-19 pandemic, including a June 14, 2021 Order To Comply With California Department Of Public Health Guidance For The Use Of Face Coverings And Select Sector Guidances And Public Health Protocols (which, among other orders, requires physical distancing of at least 6 feet) and a July 21, 2021 Order For Wearing Of Face Masks In Public Settings (requiring face masks be worn, regardless of vaccination status, in all indoor public settings). These latest orders were made necessary by the rise in the more contagious and easily spread Delta variant of the COVID-19 virus throughout the nation, and specifically in the Los Angeles County region. State and local health orders also continue to promote social distancing and outdoor activity to the extent feasible; and

WHEREAS, the Governing Board finds that the current situation with regard to COVID-19, and particularly the Delta variant, is causing, and will continue to cause, risks to the safety of persons within the Arroyo Verdugo Communities and finds that the Governing Board and all Governing Board bodies shall conduct their meetings with remote participation in the manner authorized by Government Code § 54953(e), and such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in Government Code § 54953(e)(2).

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Arroyo Verdugo Communities Joint Powers Authority as follows:

Section 1. Recitals. The Recitals set forth above are true and correct and are Incorporated herein by reference.

Section 2. Findings. The Governing Board finds:

- A. It has reconsidered the circumstance of the State of Emergency, which is still in effect;
- B. The State of Emergency continues to directly impact the ability of the Governing Board (and the members of the public who would wish to attend) to meet safely in person as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, as specified in 54953 (e)(1)(C).; and
- C. State and local officials continue to recommend measures to promote social distancing.

Section 2. Remote Teleconference Meetings. The Governing Board and all Governing Board bodies shall conduct their meetings with remote participation in the manner authorized by Government Code § 54953(e), and such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in Government Code § 54953(e)(2).

Section 3. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of July 1, 2022, or such time as the Governing Board adopts a subsequent resolution in accordance with Government Code § 54953(e)(3) to extend the time during which meetings may continue to be held remotely by teleconference in compliance with that section.

Adopted at the _____ meeting of the Governing Board on the _____ day
of _____, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ALEJANDRA FLORES, Board Secretary

Approved as to form:

Joseph H. McDougall
City Attorney, City of Burbank