

RESOLUTION NO. 2022-09

A RESOLUTION OF THE ECO-RAPID TRANSIT BOARD OF DIRECTORS OF THE ECO-RAPID TRANSIT AUTHORITY AUTHORIZING CONTINUED REMOTE TELECONFERENCE MEETINGS OF THE ECO-RAPID TRANSIT BOARD OF DIRECTORS PURSUANT TO GOVERNMENT CODE SECTION 54953(e)

WHEREAS, Government Code section 54953(e), as amended by Assembly Bill No. 361, allows legislative bodies to hold open meetings by teleconference without reference to otherwise applicable requirements in Government Code section 54953(b)(3), so long as the legislative body complies with certain requirements, there exists a declared state of emergency, and one of the following circumstances is met:

1. State or local officials have imposed or recommended measures to promote social distancing.
2. The legislative body is holding the meeting for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
3. The legislative body has determined, by majority vote, pursuant to option 2 that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

WHEREAS, the ECO-RAPID TRANSIT BOARD previously adopted Resolution No. 2022-08 finding that the requisite conditions exist for the ECO-RAPID TRANSIT AUTHORITY to conduct teleconferencing meetings under California Government Code section 54953(e); and

WHEREAS, Government Code section 54953(e) requires the legislative body adopt certain findings by majority vote within 30 days of holding a meeting by teleconference under Government Code section 54953(e), and then adopt such findings every 30 days thereafter; and

WHEREAS, ECO-RAPID TRANSIT BOARD desires to continue holding its public meetings by teleconference consistent with Government Code section 54953(e).

NOW, THEREFORE, THE ECO-RAPID TRANSIT BOARD OF THE ECO-RAPID TRANSIT AUTHORITY 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. Conditions are Met. The ECO-RAPID TRANSIT BOARD hereby finds and declares the following, as required by Government Code section 54953(e)(3):

1. The ECO-RAPID TRANSIT BOARD has reconsidered the circumstances of the state of emergency declared by the Governor pursuant to his or her authority under Government Code section 8625; and
2. The state of emergency continues to directly impact the ability of members of the ECO-RAPID TRANSIT BOARD to meet safely in person; and
3. State or local officials have imposed or recommended measures to promote social distancing.
4. The Eco-Rapid Transit Board hereby determines that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, and will conduct open and public meetings by teleconference in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.
5. All meetings held pursuant to Government Code section 54053(e) shall comply with the requirements of that section and all other applicable provisions of the Ralph M. Brown Act (Government Code section 54950 et seq.).
6. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the ECO-RAPID TRANSIT BOARD of the ECO-RAPID TRANSIT AUTHORITY, this _____ day of _____, 20____.

ATTEST:

Ali Sajjad Taj
Chair

Jose R. Gonzalez
Secretary