

RESOLUTION NO. 2021-083

A RESOLUTION OF THE ORANGE COUNTY TRANSPORTATION AUTHORITY BOARD OF DIRECTORS FINDING THAT, DUE TO THE PROCLAIMED STATE OF EMERGENCY ARISING FROM THE CORONAVIRUS (COVID-19), MEETING IN PERSON PRESENTS IMMINENT RISKS TO THE HEALTH AND SAFETY OF ATTENDEES, AND THE EMERGENCY CONTINUES TO DIRECTLY IMPACT THE ABILITY OF THE MEMBERS TO MEET SAFELY IN PERSON.

WHEREAS, the Orange County Transportation Authority's (OCTA) Board of Directors (Board) holds regular and special public meetings pursuant to the Ralph M. Brown Act (Brown Act), Government Code section 54950, et seq.; and

WHEREAS, the Brown Act, as amended by AB 361 (Chapter 165, Statutes of 2021), permits OCTA to use teleconferencing for meetings of the Board without complying with specified teleconferencing requirements imposed by the Brown Act when the OCTA Board holds a meeting during a proclaimed state of emergency 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; and

WHEREAS, to continue to hold teleconferencing meetings during the proclaimed state of emergency, the Brown Act requires the OCTA Board to make findings every 30 days, by at least a majority vote, that the Board has reconsidered the circumstances of the state of emergency and determines that the state of emergency continues to directly impact the ability of the members to meet safely in person.

NOW, THEREFORE, BE IT RESOLVED, by a least a majority vote of the OCTA Board pursuant to Government Code section 54953, OCTA does hereby find and determine as follows:

Section 1. The above findings and recitals are true and correct and are incorporated herein in full by this reference.

Section 2. Governor Gavin Newsom has proclaimed a state of emergency due to the global pandemic caused by COVID-19, which remains active as of the adoption of this Resolution.

Section 3. The OCTA Board must continue to hold regular and special meetings, pursuant to the Brown Act, during the proclaimed state of emergency.

Section 4. As a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

Section 5. The OCTA Board has reconsidered the circumstances of the state of emergency and determines that it continues to directly impact the ability of the members to meet safely in person.

Section 6. This Resolution shall take effect on October 1, 2021.

PASSED, APPROVED, and ADOPTED on this _____ day of _____, 2021.

ANDREW DO, CHAIRMAN
ORANGE COUNTY TRANSPORTATION AUTHORITY

APPROVED AS TO FORM:

JAMES M. DONICH
GENERAL COUNSEL

ATTEST:

I, Andrea West, Interim Clerk of the Board of Directors of the Orange County Transportation Authority, do hereby certify that the foregoing Resolution No. 2021-083, by the following votes:

AYES:

NOES:

ABSENT:

ANDREA WEST
INTERIM CLERK OF THE BOARD