

With passage and signing of AB 361 and in light of the ongoing Statewide State of Emergency originally declared by Governor Newsom on March 4, 2020, WQA Board Meetings will continue to be conducted via remote teleconferencing, subject to the requirements of Government Code Section 54953(e). Members of the public can participate remotely via Zoom following the instructions provided below. Members of the public may also submit comments in writing to Stephanie@wqa.com which comments will be distributed to the members of the Board, provided such written comments are received prior to the meeting start time. To address the Board during the meeting you may use the "raise hand" feature and you will be called upon when appropriate.

To attend the meeting please register in advance at:

[https://us06web.zoom.us/meeting/register/tZYkfu-gqzMpGNMGvEcdF-xnfcfhKgyzuRoQ](https://us06web.zoom.us/join/zoom-join-link)

A confirmation email will be sent to you with instructions on how to join the meeting virtually or a call-in option

**A SPECIAL MEETING
OF THE
SAN GABRIEL BASIN WATER QUALITY AUTHORITY
AT
1720 W. CAMERON AVENUE, SUITE 100
WEST COVINA, CALIFORNIA
THURSDAY, AUGUST 11, 2022 AT 9:00 A.M.**

AGENDA

- | | | |
|--------------|--|---------------|
| I. | CALL TO ORDER | MUNOZ |
| II. | PLEDGE OF ALLEGIANCE | |
| III. | ROLL CALL OF BOARD MEMBERS | MORENO |
| | Valerie Munoz, Chairwoman _____ (alt) | |
| | Mark Paulson, Vice-Chairman _____ (alt) | |
| | Bob Kuhn, Secretary _____ (alt) | |
| | Lynda Noriega, Treasurer _____ (alt) | |
| | Mike Whitehead _____ (alt) | |
| | Ed Chavez _____ (alt) | |
| | Robert Gonzales _____ (alt) | |
| IV. | PUBLIC COMMENTS (Agendized Matters Only): | MUNOZ |
| | As provided under Government Code Section 54954.3, this time has been set aside for persons in the audience to provide comment or make inquiries on matters appearing on this Special Meeting agenda only. Please complete the appropriate request card and submit it to the Secretary, prior to the item being heard. A five-minute time limit on remarks is requested. | |
| V. | ACTION ITEMS | MUNOZ |
| | (a) Adopt Resolution No. 22-012 (AB 361 – Teleconferencing of Meetings) [enc] | |
| VI. | CLOSED SESSION | MUNOZ |
| | (a) Pursuant to Government Code Section 54957(b)(1) – Public Employment | |
| | Title: Executive Director | |
| VII. | RECONVENE OPEN SESSION | MUNOZ |
| VIII. | ADJOURNMENT | MUNOZ |

Pursuant to Government Code section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available for public inspection in the lobby of the Authority's business office located at 1720 W. Cameron Ave., Suite 100, West Covina, CA 91790, during regular business hours. When practical, these public records will also be made available on the Authority's internet web site, accessible at www.wqa.com.

DRAFT

RESOLUTION NO. 22-012

A RESOLUTION OF THE BOARD OF THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY PROCLAIMING THE PERSISTENCE OF LOCAL EMERGENCY, AFFIRMING THE PROCLAMATION OF A STATEWIDE STATE OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020 AND AUTHORIZING, PURSUANT TO GOVERNMENT CODE SECTION 54953(E), THE ONGOING TELECONFERENCING OF MEETINGS OF THE BOARD AND OTHER BODIES OF THE AUTHORITY SUBJECT TO THE BROWN ACT FOR A PERIOD OF 30 DAYS FROM AUGUST 11, 2022

WHEREAS, the governing board (“Board”) of the San Gabriel Basin Water Quality Authority (“Authority”) is committed to preserving and nurturing public access and participation in meetings of the Board and other bodies of the Authority subject to the Ralph M. Brown Act (Cal. Gov. Code 54950-54963) (“Brown Act”); and

WHEREAS, all meetings of bodies subject to the Brown Act must be open and public so that any member of the public may view the proceedings and be given an opportunity to offer public comment; and

WHEREAS, on September 16, 2021, the Governor signed AB 361 which allows members of public agency governing bodies to continue participating remotely for meetings under the relaxed teleconferencing procedures first established by Governor Newsom’s executive orders; and

WHEREAS, AB 361 amends Government Code section 54953 which sets forth the procedures that must be followed in order for public agencies to avail themselves of such relaxed teleconferencing procedures; and

WHEREAS, among the conditions is the requirement that a state of emergency be 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 Authority’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, on March 4, 2020, Governor Gavin Newsom declared a State of Emergency in response to the rising cases of COVID-19 throughout the state of

California; and

WHEREAS, on March 4, 2020, the Los Angeles County Board of Supervisors and Los Angeles County Department of Public Health (“LACDPH”) declared a local emergency and local public health emergency in response to the spread of COVID-19 throughout the County; and

WHEREAS, since the declaration of emergency by LACDPH, LACDPH has issued a series of Health Officer Orders containing mandates and recommendations for keeping individuals safe and preventing the spread of COVID-19; and

WHEREAS, the LACDPH Health Officer Order issued March 23, 2022 and effective April 1, 2022 continues to advise that all individuals and businesses are strongly urged to follow the LACDPH Best Practices Guidance, containing health and safety recommendations for COVID-19; and

WHEREAS, the LACDPH Best Practices Guidance provides, among other things:

1. Masks are *strongly recommended* in most indoor public settings to prevent transmission of the virus particularly to persons with prolonged, cumulative exposures (e.g., workers and to those with higher risk of illness (e.g., unvaccinated, older persons, or those with underlying medical conditions such as immunocompromised persons); and
2. Per state and federal law, visitors and workers must continue to wear masks in specified high-risk settings to continue protecting vulnerable populations and the workforce that delivers critical services in these settings; and
3. Identify and regularly clean frequently touched surfaces and objects such as doorknobs, elevator buttons, tools, handrails, phones, headsets, bathroom surfaces and steering wheels;
4. Whenever possible, take steps to reduce crowding indoors and encourage physical distancing including, but not limited to:
 - a. Limiting indoor occupancy to increase the physical space between employees at the worksite, between employees and customers, and between customers;
 - b. Using tape, signs, or other visual cues such as decals or colored tape on the floor, placed six feet apart, to guide customers about where to stand to avoid crowding and to encourage distancing where lines may form; and
 - c. Continuing, where feasible, to offer telework options and continue those teleworking arrangements that do not interfere with business operations

as telework significantly reduces the risk of exposure for employees, their households, and communities.

WHEREAS, surges in COVID-19 variants overseas have the potential to quickly spread in the United States warranting continued vigilance; and

WHEREAS, AB 361 requires legislative bodies that conduct teleconferenced meetings under its relaxed and abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option, and to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body; and

WHEREAS, AB 361 requires the legislative body take no further action on agenda items when there is a disruption which prevents the public agency from broadcasting the meeting, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments, until public access is restored; and

WHEREAS, AB 361 prohibits the legislative body from requiring public comments to be submitted in advance of the meeting and specifies that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time; and

WHEREAS, AB 361 prohibits the legislative body from closing the public comment period and the opportunity to register to provide public comment, until the public comment period has elapsed or until a reasonable amount of time has elapsed, as specified; and

WHEREAS, the Board meetings and meetings of certain other subordinate bodies of the Authority are open and public, as required by the Brown Act, so that any member of the public may attend, participate, and watch the Board or such bodies conduct business; and

WHEREAS, the Authority finds that the continuing spread of COVID-19 and its variants justifies the ongoing implementation of social distancing and other infection control measures, including the conduct of remote meetings under the relaxed teleconferencing rules set forth under AB361;

WHEREAS, in light of the continuing State declaration of emergency resulting from the COVID-19 pandemic, the continuing recommendation by Los Angeles County Public Health officials to maintain various infection control and containment measures referenced above, the Board desires to make the findings required by AB 361 to allow the Board and all other bodies of the Authority that are subject to the Brown Act to continue to meet under AB 361's relaxed and abbreviated teleconferencing procedures.

NOW, THEREFORE, THE BOARD OF THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. Incorporation and Adoption of Findings. The recitals set forth above are true and correct and incorporated into this Resolution by this reference.

SECTION 2. Affirmation that Local Emergency Persists. The Board hereby considers the conditions of the state of emergency in the County and the State and acknowledges and affirms the ongoing existence of a Statewide and local emergency due to the COVID-19 pandemic, and finds that local officials, specifically, the Los Angeles County Department of Public Health, has continued to recommend social distancing and other infection control measures.

SECTION 3. Re-ratification of Governor's Proclamation of a State of Emergency. The Board hereby acknowledges and affirms the Governor's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

SECTION 4. Remote Teleconference Meetings. The Executive Director is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct 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 but its operational provisions shall go into effect upon the expiration date of prior Resolution No. 22-004 and shall continue for a period of thirty (30) days thereafter in accordance with Government Code section 54953(e).

SECTION 6. Severability. All portions of this Resolution are severable. If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution. The Board hereby declares that it would have passed this Resolution, and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrases or clauses be declared unconstitutional on their face or as applied.

PASSED, APPROVED AND ADOPTED by the Board of the San Gabriel Basin Water Quality Authority at the regular meeting of this 11th day of August 2022.

Valerie Munoz
Chairwoman

Bob Kuhn
Secretary