



**TREASURE ISLAND
MOBILITY MANAGEMENT AGENCY**

TC012522

TIMMA COMMITTEE RESOLUTION NO. 22-02

RESOLUTION MAKING FINDINGS TO ALLOW TELECONFERENCED MEETINGS OF THE
TREASURE ISLAND MOBILITY MANAGEMENT AGENCY COMMITTEE UNDER CALIFORNIA
GOVERNMENT CODE SECTION 54953(e)

WHEREAS, California Government Code Section 54953(e) empowers local legislative bodies to convene by teleconferencing technology during a proclaimed state of emergency under the State Emergency Services Act so long as certain conditions are met; and

WHEREAS, In March, 2020, the Governor of the State of California proclaimed a state of emergency in California in connection with the Coronavirus Disease 2019 (COVID-19) pandemic, and that state of emergency remains in effect; and

WHEREAS, In February 25, 2020, the Mayor of the City and County of San Francisco (City) declared a local emergency, and on March 6, 2020, the City's Health Officer declared a local health emergency, and both those declarations also remain in effect; and

WHEREAS, On September 16, 2021, the Governor signed AB 361, a bill that amends the Brown Act to allow local legislative bodies to continue to meet by teleconferencing during a state of emergency without complying with restrictions in state law that would otherwise apply, provided that the legislative bodies make certain findings at least once every 30 days; and

WHEREAS, Federal, State, and local health officials emphasize the critical importance of vaccination and consistent mask-wearing to prevent the spread of COVID-19, and the City Health Officer has issued at least one order (Health Officer Order No. C19-07y, available online at www.sfdph.org/healthorders) and one directive (Health Officer Directive No. 2020-33i, available online at www.sfdph.org/directives) that continue to recommend measures to promote physical distancing and other social distancing measures, such as masking, in certain contexts; and

WHEREAS, The California Department of Industrial Relations Division of Occupational Safety and Health has promulgated Section 3205 of Title 8 of the California Code of Regulations, which requires most employers in California, including in the City, to train and



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instruct employees about measures that can decrease the spread of COVID-19, including physical distancing and other social distancing measures; and

WHEREAS, Without limiting any requirements under applicable federal, state, or local pandemic-related rules, orders, or directives, the City's Department of Public Health, in coordination with the City's Health Officer, has advised that for group gatherings indoors, such as meetings of boards and commissions, people can increase safety and greatly reduce risks to the health and safety of attendees from COVID-19 by maximizing ventilation, wearing well-fitting masks (as required by Health Officer Order No. C19-07y), using physical distancing where the vaccination status of attendees is not known, and considering holding the meeting remotely if feasible, especially for long meetings, with any attendees with unknown vaccination status and where ventilation may not be optimal; and

WHEREAS, The Treasure Island Mobility Management Agency (TIMMA) Board and the TIMMA Committee have met remotely during the COVID-19 pandemic and can continue to do so in a manner that allows public participation and transparency while minimizing health risks to members, staff, and the public that would be present with in-person meetings while this emergency continues; and

WHEREAS, It is anticipated that the TIMMA Board will make findings to allow teleconferenced meetings under California Government Code Section 54953(e) that will cover its committees, including the TIMMA Committee, but the TIMMA Board has not yet had the opportunity to make such findings; and

WHEREAS, At its meeting on November 9, 2021, the TIMMA Committee adopted findings pursuant to California Government Code Section 54953(e) to allow the TIMMA Committee to hold teleconferenced meetings in conformance with AB 361; and

WHEREAS, It has been more than 30 days since the adoption of such findings by the TIMMA Committee, and the TIMMA Committee must accordingly make new findings to allow teleconferenced meetings rather than following the provisions in AB 361 allowing the reconsideration of findings under California Government Code Section 54953(e) so long as



such reconsideration occurs within 30 days after the initial adoption or the last reconsideration of such findings; now, therefore, be it

RESOLVED, That the TIMMA Committee finds as follows:

1. As described above, the State of California remains in a state of emergency due to the COVID-19 pandemic. At this meeting, the TIMMA Committee has considered the circumstances of the state of emergency.
2. As described above, State and City officials continue to recommend measures to promote physical distancing and other social distancing measures, in some settings.
3. As described above, because of the COVID-19 pandemic, conducting meetings of the TIMMA Committee in person would present imminent risks to the safety of attendees, and the state of emergency continues to directly impact the ability of members to meet safely in person; and, be it further

RESOLVED, That for at least the next 30 days, meetings of the TIMMA Committee will continue to occur exclusively by teleconferencing technology (and not by any in-person meetings or any other meetings with public access to the places where any legislative body member is present for the meeting). Such meetings of the TIMMA Committee that occur by teleconferencing technology will provide an opportunity for members of the public to address this body and will otherwise occur in a manner that protects the statutory and constitutional rights of parties and the members of the public attending the meeting via teleconferencing.



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The foregoing Resolution was approved and adopted by the TIMMA Committee at a regularly scheduled meeting thereof, this 25th day of January 2022, by the following votes:

Ayes: Commissioners Haney, Mandelman, Ronen (3)

Nays: (0)

Absent: (0)

3/10/2022

Matt Haney
Committee Chair

Date

ATTEST:

03/10/22

Tilly Chang
Executive Director

Date