



**San Francisco
County Transportation
Authority**

BD071222

RESOLUTION NO. 23-01

RESOLUTION MAKING FINDINGS TO ALLOW TELECONFERENCED MEETINGS
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, On February 25, 2020, the Mayor of the City and County of San Francisco (the "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, While Federal, State, and local health officials emphasize the critical importance of vaccination and consistent mask-wearing, regardless of vaccination status, to prevent the spread of COVID-19, and the City's 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 safety for indoor gatherings, such as vaccination, masking, improved ventilation, and other measures, in certain contexts; and

WHEREAS, The California Department of Industrial Relations Division of



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Occupational Safety and Health ("Cal/OSHA") 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 instruct employees about measures that can decrease the spread of COVID-19; 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 regardless of vaccination status (and as required for unvaccinated people by the State of California's indoor masking order), encouraging vaccination (including a booster as soon as eligible), staying home when sick or when experiencing any COVID-19 symptom discouraging consumption of food or beverages in the meeting, following good hand hygiene practices, and making informed choices when gathering with people who vaccination status is not known; and

WHEREAS, The San Francisco County Transportation Authority Board began meeting in person on April 12, 2002, allowing members to participate by teleconferencing from a separate location for COVID-related health reasons and providing members of the public an opportunity to observe and provide public comment either in person or remotely; now, therefore, be it

RESOLVED, That San Francisco County Transportation Authority Board finds as follows:

1. As described above, the State of California and the City remain in a state of emergency due to the COVID-19 pandemic. At this meeting, San Francisco County Transportation Authority Board has considered the circumstances of the state of emergency.

2. As described above, because of the COVID-19 pandemic, conducting



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meetings of this body and its committees in person without allowing certain members of this body to attend remotely would present imminent risks to the health or safety of certain attendees due to COVID-19, 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, the San Francisco County Transportation Authority Board and the Personnel Committee will hold in-person meetings, with some members possibly appearing remotely. If all members of the San Francisco County Transportation Authority Board or Personnel Committee are unable to attend in person for COVID-related health reasons, then the San Francisco County Transportation Authority Board or Personnel Committee will hold the meeting remotely without providing an in-person meeting location. The Community Advisory Committee ("CAC") will continue to hold meetings 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). All meetings of the San Francisco County Transportation Authority Board and its committees will provide an opportunity for members of the public to address this body and its committees 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 San Francisco County Transportation Authority at a regularly scheduled meeting thereof, this 12th day of July 2022, by the following votes:

Ayes: Commissioners Chan, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Stefani, and Walton (9)

Nays: (0)

Absent: Commissioner Dorsey and Safai (2)

DocuSigned by:
Rafael Mandelman 8/23/2022
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Rafael Mandelman Date
Chair

DocuSigned by:
Tilly Chang 8/24/2022
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ATTEST:

Tilly Chang Date
Executive Director