

1 **RESOLUTION**

2 **of the**

3 **Board of Directors**

4 **of**

5 **NORTH COAST RAILROAD AUTHORITY**

6 Resolution No. 2021-11

7
8 IN THE MATTER OF:
9 Resolution No. 2021-11
10 Authorizing Continued
11 Teleconference Meetings Pursuant
12 to AB 361.

13 **WHEREAS**, NORTH COAST RAILROAD AUTHORITY (“NCRA”) is committed to
14 ensuring public access to observe and participate in local government meetings; and

15
16 **WHEREAS**, all meetings of the NCRA are open and public, as required by the Ralph M. Brown
17 Act, so that any member of the public may participate in local government meetings; and

18 Whereas, the Brown Act, Government Code section 54953(e), makes provisions for remote
19 teleconferencing participation in local government meetings, without compliance with the
20 requirements 54953(b)(3), subject to the existence of certain conditions; and

21
22
23 **WHEREAS**, on March 4, 2020, Governor Newsom proclaimed a State of Emergency due to the
24 outbreak of respiratory illness due to a novel coronavirus (a disease now known as COVID-19)
25 and that State of Emergency is still in effect in the State of California; and

26
27 **WHEREAS**, the Sonoma County Public Health Officer, Marin County Public Health Officer,
Humboldt County Health Officer, and Mendocino County Health Officer continue to recommend

1 teleconferencing or social distancing during public meetings of all legislative bodies to protect
2 the community's health against the spread of COVID-19; and

3
4 **WHEREAS**, the NCRA finds that the current conditions meet the circumstances set forth in
5 Government Code section 54953(e)(3) to continue to use teleconferencing to hold open and
6 public meetings in compliance with the requirements set forth in Government Code section
7 54953(e)(2) to ensure the public can safely participate in and observe local government
8 meetings.
9

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11 Now, Therefore, Be It Resolved:

12 **Section 1. Recitals.** The Recitals set forth above are true and correct and are incorporated into
13 this Resolution by this reference.
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16 **Section 2. Current Conditions Allow Teleconference Public Meetings.** Based on the California
17 Governor's continued declaration of a State of Emergency and the above-stated health officers'
18 recommendations to continue teleconferencing or social distancing during public meetings, the
19 NCRA finds that the conditions continue to exist pursuant to Government Code section
20 54953(e)(3) to allow it to use teleconferencing to hold public meetings in accordance with
21 Government Code section 54953(e)(2) to ensure members of the public have continued access to
22 safely observe and participate in local government meetings.
23

24 **Section 3. Authorize Teleconference Meetings.** Staff is hereby authorized to take all actions
25 necessary to carry out the intent and purpose of this Resolution including, conducting open and
26 public meetings of the NCRA in accordance with Government Code section 54953(e)(2) and
27 other applicable provisions of the Brown Act.

1 **Section 4.** Effective Date of Resolution. This Resolution shall take effect immediately upon its
2 adoption.

3 Introduced and adopted this 11th day of November 2021, at a teleconference meeting of the
4 Board of Directors of North Coast Railroad Authority by the following vote:

5 AYES:
6 NOES:
7 ABSENT:

8 _____
NCRA Chairman Hagele

9 ATTEST:
10 _____
11 Executive Director NCRA