

RESOLUTION 22-1

A RESOLUTION OF THE ADVISORY COUNCIL AND SCIENTIFIC, TECHNICAL AND MODELING PEER REVIEW ADVISORY GROUP (STMPRAG) OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT RECOGNIZING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020 AND THAT LOCAL OFFICIALS CONTINUE TO RECOMMEND MEASURES TO PROMOTE SOCIAL DISTANCING; AND AUTHORIZING FULLY OR PARTIALLY REMOTE TELECONFERENCE MEETINGS OF THE ADVISORY COUNCIL AND STMPRAG OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT, FOR THE PERIOD OF OCTOBER 5, 2022 THROUGH OCTOBER 6, 2022 PURSUANT TO PROVISIONS OF THE BROWN ACT.

WHEREAS, the Advisory Council and STMPRAG are committed to preserving and nurturing public access and participation in all meetings subject to the provisions of the Ralph M. Brown Act (Cal. Gov. Code §§54950-54963, hereafter Brown Act); and

WHEREAS, pursuant to the provisions of the Brown Act, all meetings of legislative bodies of the South Coast AQMD, which include the South Coast AQMD Governing Board, all Brown Act standing committees ultimately reporting to the South Coast AQMD Governing Board, and all advisory committees and groups subject to the Brown act, (collectively, hereinafter, “legislative bodies”), are required to be open and public so that any member of the public may attend, participate, and watch the South Coast AQMD’s legislative bodies conduct their business; and

WHEREAS, the Brown Act Government Code §54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code §54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency has been declared by the Governor pursuant to Government Code §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 §8558; and

WHEREAS, on March 4, 2020 the Governor proclaimed a State of Emergency to exist in California as a result of the threat of the novel coronavirus (COVID-19); and

WHEREAS, the jurisdiction of the South Coast AQMD includes portions of the Counties of Los Angeles, Orange, Riverside, and San Bernardino areas as set forth in Health & Safety Code §40410 and South Coast AQMD Rule 103; and

WHEREAS, the South Coast AQMD headquarters is located in the County of Los Angeles; 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 would present imminent risks to the health and safety of attendees; and

WHEREAS, local officials still recommend measures promoting social distancing; and

WHEREAS, the spread of COVID-19 poses a continued risk to the health and safety of members of the South Coast AQMD legislative bodies, South Coast AQMD staff, and members of the general public who attend such meetings in that unvaccinated or partially vaccinated persons are at a high risk of contracting COVID-19 and even fully vaccinated persons can contract and potentially unknowingly spread COVID-19; and

WHEREAS, the Advisory Council and STMPRAG of the South Coast AQMD do hereby find that they shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code §54953, as authorized by subdivision (e) of §54953, and that they shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of §54953; and

WHEREAS, the Advisory Council and STMPRAG -- of the South Coast AQMD will continue to ensure access to their meetings by making them available telephonically and via virtual access for both members of the legislative bodies and the general public; and

WHEREAS, a notice of meetings along with information regarding all methods which may be used for public participation in such meetings will continue to be posted at the South Coast AQMD's headquarters, posted on the South Coast AQMD's website, provided to anyone who requests such information, and clearly printed on any agendas produced for such meetings.

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NOW, THEREFORE, BE IT RESOLVED, that the Advisory Council and STMPRAG hereby find that the highly contagious nature of COVID-19 poses an imminent risk to large numbers of persons meeting indoors in a single location; and

BE IT FURTHER RESOLVED, that the Advisory Council and STMPRAG hereby find that the Governor of California issued a Proclamation of Emergency on March 4, 2020; and

BE IT FURTHER RESOLVED, that the Advisory Council and STMPRAG hereby find that local officials continue to impose or recommend measures to promote social distancing in the South Coast AQMD's jurisdiction and where the South Coast AQMD's headquarters is located; and

BE IT FURTHER RESOLVED, that the Advisory Council and STMPRAG requests staff to take all actions necessary to carry out the intent and purpose of this Resolution, including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon adoption and remain in effect until October 6, 2022.

DATE: _____

ADVISORY COUNCIL AND STMPRAG SECRETARY