



Resolution 21-04

Resolution 21-04 Authorizing Teleconference (Virtual) Meetings of the Associated Students of Grossmont College Board of Directors Pursuant to Assembly Bill 361 (California Government Code Section 54953)

On motion of Member _____, seconded by Member _____, the following resolution is adopted:

WHEREAS, the Ralph M. Brown Act requires, in relevant part and with specified exceptions, that members of the public be allowed to physically attend all meetings of local legislative bodies, including school district governing boards and student governments;

WHEREAS, on March 4, 2020, the Governor declared a State of Emergency to exist in California as a result of the threat of COVID-19;

WHEREAS, on March 17, 2020, the Governor issued Executive Order N-29-20 which conditionally suspended certain provisions of the Brown Act and provided that all requirements of the Brown Act “expressly or impliedly requiring the physical attendance of members, the clerk or other personnel of the body, or of the public as a condition of participation in or quorum for a public meeting are hereby waived”;

WHEREAS, Executive Order N-29-20 expired on September 30, 2021, but there continues to be a declared State of Emergency in California due to COVID-19;

WHEREAS, on September 16, 2021, the Governor signed Assembly Bill No. 361, which amends Government Code section 54953 of the Brown Act to authorize local legislative bodies to continue to conduct board meetings via teleconference (virtual) pursuant to Government Code 54953(e), without complying with certain provisions of the Brown Act set forth in Government Code section 54953(b), subject to the existence of specified conditions;

WHEREAS, the State of Emergency declared by the Governor on March 4, 2020, due to COVID-19 remains in place;

WHEREAS, in an effort to reduce the spread of COVID-19 and protect members of the public, the Board of Directors desires to implement the provisions of Assembly Bill 361 (2021) to allow for the continued use of teleconference (virtual) meetings as authorized under the law.

NOW, THEREFORE, BE IT RESOLVED:

The Board determines that as a result of the State of Emergency that exists in California due to the COVID-19 pandemic, holding meetings in person would present imminent risks to the health or safety of attendees of ASGCs Board meetings.

All meetings conducted by the Board during the operative time period of this Resolution shall be conducted via teleconference (virtual and remote) and shall be conducted in compliance with the requirements set forth in Government Code section 54953(e).

The President is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution, including ensuring that all meetings of the Board are conducted in compliance with Government Code section 54953(e) and other applicable provisions of the Brown Act. All meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the Board.

This Resolution shall be effective November 19, 2021, and shall remain in effect no later than 30 days after the Board holds its first meeting by teleconference pursuant this Resolution. The Board may extend the time period of this Resolution upon reconsideration of the circumstances of the State of Emergency as required by Government Code section 54953(e)(3).

PASSED AND ADOPTED by the Board of Directors of the Associated Students of Grossmont College of San Diego County, California, this 19th day of November 2021 by the vote:

AYES:

NOES:

ABSENT:

I, Aundrea Kaiser, President of the Board of Directors, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly passed and adopted by said Board at the regularly called and conducted meeting held on said date.

President of the Board of Directors