

**COUNTY OF SAN DIEGO
COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD
SPECIAL (TELECONFERENCE) MEETING
January 12, 2023 9:00 A.M.**

AGENDA

Attendance by Virtual Meeting made available

[Zoom Link:](#)

Phone Option: 1-669-900-9128; Webinar ID: 751 538 3893

- A. Call to Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Approval of Statement of Proceedings / Minutes of December 15, 2022
- E. Formation of Consent Calendar
- F. Public Communication Speakers: Members of the public may address the Oversight Board on subject matters within the Board's jurisdiction, but not an item on this agenda. Comments for items on this agenda will be taken as each item comes up. Each speaker is limited to three minutes.
- G. Discussion Item(s)
 - 1. Special Teleconferencing Rule specified under AB 361
- H. Action Item(s)
 - 1. Adopt a resolution entitled, A RESOLUTION OF THE SAN DIEGO COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD AUTHORIZING SPECIAL TELECONFERENCEING RULE UNDER AB 361 PURSUANT TO GOVERNMENT CODE SECTION 54953 FOR THE COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD
- I. Communications Received

Supporting documentation and attachments for items listed on this agenda can be viewed online at <http://www.sdcounty.ca.gov/community/san-diego-county-oversight-board.html> or in the Health & Human Services Agency's Financial & Support Services Division, 1255 Imperial Avenue, 6th Floor, San Diego, CA 92101.

ASSISTANCE FOR THE DISABLED:

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- J. Future Agenda Item(s): Approval of the Recognized Obligation Payment Schedule (ROPS) 23-24 and Administrative Budget for all seventeen (17) Successor Agencies, Election of Officers, review of by-laws, AB 361
- K. Set Future Meeting Date(s): January 19, 2023 10:00 a.m., February 16, 2023 10:00 a.m., March 16, 2023 10:00 a.m, April 20, 2023 10 a.m.
- L. Adjournment

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**COUNTY OF SAN DIEGO
COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD
REGULAR (TELECONFERENCE) MEETING**

December 15, 2022 10:00 A.M.

MINUTES

Attendance by Virtual Meeting made available

[Zoom Link:](#)

Phone Option: 1-669-900-9128; Webinar ID: 853 5567 5766

A. Call to Order at 10:01 a.m.

B. Roll Call

PRESENT: Board Members: Brian Hagerty, Mark Baker, Scott Buxbaum, Bonnie Dowd, Samuel Merrill and Corinne Wilson

Other Attendees: Claire Lai, Attorney at Law and Max Endoso, Principal Admin Analyst

C. Pledge of Allegiance

D. Approval of Statement of Proceedings / Minutes of November 17, 2022

Chair Hagerty stated that he will address some minor typos with County staff. The corrections will not change the meaning of the minutes. On motion of Member Baker and seconded by Member Dowd, THE COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD with the corrections mentioned above, approved the minutes of the November 17, 2022 meeting. *Oversight Board staff did a roll call vote of each Board member to indicate approval or non-approval during the virtual meeting.* **Motion passed.**

AYES: Hagerty, Baker, Dowd, Buxbaum, Merrill and Wilson

E. Formation of Consent Calendar

Items to which no opposition has been expressed by the public or this body may be placed on the Consent Calendar to be voted on without discussion.

No items were placed on the consent calendar.

F. Public Communication Speakers: Members of the public may address the Oversight Board on subject matters within the Board's jurisdiction, but not an item on this agenda. Comments for items on this agenda will be taken as each item comes up. Each speaker is limited to three minutes. *No comments were received by the Board or were presented at the meeting.*

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G. Discussion Item(s)

1. Special Teleconferencing Rule specified under AB 361

Chair Hagerty provided background and opened up the discussion to the Board, a summary of which is provided here:

At this point we can still vote to renew the 30 day period that is allowed for AB 361 teleconferencing and then we're going to get into a discussion to talk about how things are changing. There's a new bill in place and there's also the traditional Brown Act in place. Circumstances have changed quite a bit over the last 60-90 days. We will get into that with Claire, who we have for Counsel. We will deal mainly with extending the special teleconferencing rule AB 361 for the next 30 days.

Member Dowd asked Chair Hagerty if he wanted to do item H1 and then have the discussion or have the discussion first and then do H1.

Chair Hagerty clarified that what he wanted to know was if anybody had any issue with extending this teleconferencing for another 30 days and that he was open up switching up the agenda. He added that maybe it makes more sense to get into the depth of what's changing before the Board decides to vote to extend the AB 361 teleconferencing.

Member Baker wanted to move forward with a vote to get this item off the table and then talk about item G2.

2. Update Regarding 2023 Teleconference Requirements and Options and Related Discussion.

Chair Hagerty clarified that item G2 is not a voting item, that the Board is going to discuss the differences between traditional Brown Act, AB 361 and AB 2449 and turned it over to Claire Lai to provide an overview of the changes in teleconferencing requirement and options in 2023 particularly after the state of emergency declared by Governor Newsom ends in end of February, a summary of which is provided here:

- Traditional Brown Act teleconferencing rule requires that the:
 - Quorum meet within the jurisdiction of the Oversight Board which is San Diego County

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- Teleconferencing agenda be posted in the conference location and the open to the public to participate in the meeting
- Agenda describes the particular locations and who will be participating in teleconferencing
-
- The most significant change that AB 361 did was to suspend the requirements that a quorum meets within the jurisdiction of the particular legislative body and also the agenda posting requirements as well as making each teleconferencing location available to the public. AB 361 requires a State declared emergency which will end in March.
- AB 2449 made some modifications on when the board can utilize the relaxed teleconference rules.
 - Board members may not use AB 2449's teleconference procedures to attend meetings remotely for a period of more than three consecutive months or 20% of the regular meetings within a calendar year, or more than two meetings if the legislative body meets fewer than 10 times per calendar year unlike AB 361 where there is no limit.
 - Only 2 bases for a Board member to use the teleconference rules
 - Just Cause. The member notifies the Oversight Board at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for "just cause." With "just cause" being defined as: (a) A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely, (b) contagious illness that prevents a member from attending in person, (c) A need related to a physical or mental disability as defined by statute. or (d) travel while on official business of the legislative body or another state or local agency. The "just cause" exception may be only used for two meetings per calendar year.
 - Emergency Circumstances. The Oversight Board member requests the Board to allow them to participate in a meeting remotely due to "emergency circumstances" and the Board takes action to approve the request. The Board must request a general description of the circumstances relating to the Board

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members' need to appear remotely at a given meeting. An emergency circumstances is defined as a physical or family medical emergency that prevents a member from attending in person.

Chair Hagerty asked Ms. Lai if she considers the Oversight Board to be a legislative body that meets 10 times or more. The Oversight Board meets fewer than 10 times, but we have a standing regular meeting for 12 months. Ms. Lai responded that since there are 12 scheduled regular meetings, the Oversight Board is considered to meet more than 10 times. AB 2449 is not looking at how many actual meetings the Board had.

Member Baker asked Ms. Lai if the just cause limit on AB 2449 is per individual member or for the Board. Ms. Lai responded that the limit is per individual member.

Member Baker asked Ms. Lai if each member can share the just cause reason to the rest of the Board members and can be remote for every meeting under AB 2449. Ms. Lai responded that the just cause applies only to the member invoking it and would not apply to the rest of the Board members.

Chair Hagerty asked Ms. Lai if the Board members can assume that this Board will return to in-person meetings, that the only remote members have to have a reason and there's a limit to the number of times they can be remote. Ms. Lai agreed.

Member Baker asked Ms. Lai if no members are joining remote, does the Board still have to provide internet access to the public. Ms. Lai responded under the traditional Brown Act if all members are meeting in person, there is no requirement to provide internet access to the public. However, some Boards have maintained that level of public access that's been provided under AB 361 so this is something that the Board can discuss.

Member Baker asked Ms. Lai under AB 2449 if the Board has to stop the meeting when all the Board members are attending in-person, internet access is provided to the public and the internet was disrupted. Ms. Lai responded that the Board is not required to stop the meeting. She added that it's good practice to wait and resolve the internet issue before continuing the meeting. Member Baker added that it's been nice and convenient for board members and the public to call in, but it seems that season is coming to an end. Chair Hagerty stated that he is getting the same impression.

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Member Baker asked Ms. Lai if the Board has to adopt AB 2449 or if it's just going to be a law. Ms. Lai responded that the Board does not have to adopt AB 2449 and it will be a law. The remoting in of any Board member will have to be noticed and approved by the Board. The Board can keep a standing item on the agenda in cases when a member or members need to remote in because of just cause or emergency circumstances.

Member Dowd asked Ms. Lai under AB 2449 if there is still a need to post an agenda at a remote location when a Board member is attending remotely. Ms. Lai responded that this is correct. Member Dowd that she is hearing differently from conversations in her district that it is still required.

Member Dowd asked Ms. Lai who determines the official travel. Ms. Lai responded that she thinks the official travel should be part of the body that the member is representing, for example, attending a conference for the Oversight Board.

Member Dowd asked the Board and Ms. Lai if the remote attendance limitations on AB 2449 is aligned with the Board's by-laws. Chair Hagerty asked Ms. Lai to review the by-laws to make sure that it does not conflict with AB 2449.

Chair Hagerty stated that AB 2449 goal is to get the board members back into physical location, but the public should still be able to attend remotely, audio and video are going to be required. He pointed out that under AB 2449, the public have to be able to see and hear the Board if the Board is going to do this remotely. He added that the Board need to work on the technical requirements.

Member Dowd asked Chair Hagerty if we have a venue for January 19, 2023 meeting. Chair Hagerty responded that we reserved room 302 in CAC all day for January 19 to make sure that we have enough time to meet the technical requirements. So, people can see, hear us and can interact with the Board. We have CAC room 302 every 3rd Thursday of the month in 2023. Parking at CAC is good and yellow badges are available for members to get, just work with County staff and Chair Hagerty.

Member Dowd asked Chair Hagerty if correct to assume that even though the Board is not taking any action on this item that AB 2449 is the rule that the Board will follow and there is no need to meet on January 12, 2023. Chair Hagerty responded that we can still use AB 361

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in January. Chair Hagerty also asked Ms. Lai to confirm, and she did. Ms. Lai added that we can use AB 361 through March 1, 2023.

Chair Hagerty asked the Board members if they prefer to hold the January meeting via remote. He added that the Successor Agencies prefer the teleconference format as they have done last year. Member Baker agreed. Chair Hagerty provided direction to the members that the Board will meet via remote on January 19th but will still have to meet on January 12th to vote and extend AB 361 teleconference format for another 30 days.

Member Dowd informed the Board that she had been asked and agreed to stay in her position till the end of January 2023. So, she can still attend the January 12 and 19 meetings. She added that hopefully that State Chancellors Office would have appointed the new Finance Officer before the February meeting and she will continue to work as consultant starting in February, for a little while as part of the transition and she will bring the new person up to speed.

Chair Hagerty asked Ms. Lai if there's anything in AB2449 that we have not covered. Ms. Lai responded that we have covered everything, but the Board can still reach out to her after the meeting for additional questions.

H. Action Item(s)

1. Adopt a resolution entitled, A RESOLUTION OF THE SAN DIEGO COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD AUTHORIZING SPECIAL TELECONFERENCING RULE UNDER AB 361 PURSUANT TO GOVERNMENT CODE SECTION 54953 FOR THE COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD

On motion of Board Member Dowd and seconded by Baker, THE COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD approved the RESOLUTION OF THE SAN DIEGO COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD AUTHORIZING SPECIAL TELECONFERENCING RULE UNDER AB 361 PURSUANT TO GOVERNMENT CODE SECTION 54953 FOR THE COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD. *Oversight Board staff did a roll call vote of each Board member to indicate approval or non-approval during the virtual meeting.* **Motion passed.**

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AYES: Hagerty, Baker, Dowd, Buxbaum, Merrill and Wilson

- I. Communications Received: Teleconferencing options memos from County Counsel and Oversight Board Counsel. Member Merrill notified the Board that he will be participating in a community-based association in support of the redevelopment of the City of San Diego property in the Sports Arena Boulevard area and he just wants to make sure that there is no conflict of interest with his Oversight Board duties. Counsel is reviewing this matter.
- J. Future Agenda Item(s): Approval of the Recognized Obligation Payment Schedule (ROPS) 23-24 and Administrative Budget for all seventeen (17) Successor Agencies, Election of Officers, Review by-laws
- K. Set Future Meeting Date(s): January 12, 2023 9:00 a.m., January 19, 2023 10:00 a.m., February 16, 2023 10:00 a.m., March 16, 2023 10:00 a.m.
- L. Adjournment at 10:46 a.m.

DRAFT

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COUNTY OF SAN DIEGO

COUNTYWIDE
REDEVELOPMENT
SUCCESSOR AGENCY
OVERSIGHT BOARD

AGENDA ITEM

COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD

VACANT

MARK BAKER

SCOTT BUXBAUM

DR. BONNIE DOWD

BRIAN HAGERTY

SAMUEL MERRILL

CORINNE WILSON

DATE: January 12, 2023

01

TO: Countywide Redevelopment Successor Agency Oversight Board

SUBJECT: A RESOLUTION OF THE SAN DIEGO COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD AUTHORIZING SPECIAL TELECONFERENCING RULE UNDER AB 361 PURSUANT TO GOVERNMENT CODE SECTION 54953 FOR THE COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD

SUMMARY:

Overview

On January 30, 2020, the World Health Organization ("WHO") declared a Public Health Emergency of International Concern as a result of the COVID-19 virus. On January 31, 2020, the United States Secretary of Health and Human Services also declared a Public Health Emergency of the COVID-19 virus. On February 14, 2020, the San Diego County Health Officer declared a Local Health Emergency as a result of the COVID-19 virus, which was subsequently ratified by the Board of Supervisors on February 19, 2020.

On March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting law, Government Code section 54950 et seq. (the "Brown Act"), provided certain requirements were met and followed. On June 11, 2021, Governor Newsom issued Executive Order N-08-21 that clarified the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021. On September 16, 2021, Governor Newsom signed AB 361 which provides that a legislative body subject to the Brown Act may use revised teleconference rules provided under section 53593(e) if the legislative body makes certain findings and those findings are reconsidered every thirty (30) days, as applicable. The San Diego Countywide Redevelopment Successor Agency Oversight Board ("Oversight Board") has met and made initial findings under AB 361 to continue meeting by teleconference, and has been reconsidering those findings in accordance with the timeline set forth under state law. Most recently at the December 15, 2022 meeting, the Oversight Board



COUNTY OF SAN DIEGO

COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD

AGENDA ITEM

COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD

VACANT

MARK BAKER

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SAMUEL MERRILL

CORINNE WILSON

reconsidered the circumstances of the state of emergency declared by the Governor and made findings that the conditions continue to exist to authorize teleconference meetings under AB 361.

On or about September 23, 2021, Dr. Wilma Wooten, the County of San Diego's Public Health Officer issued a letter recommending the utilization of teleconferencing options for public meetings as an effective and recommended social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and others from the COVID-19 virus (the "Teleconferencing Recommendation"). This recommendation continues to remain in effect.

In the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, this legislative body deems it necessary to take action for purposes of utilizing the provisions of AB 361 related to teleconferencing.

Recommendation(s)

1. Adopt the resolution entitled, A RESOLUTION OF THE SAN DIEGO COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD AUTHORIZING SPECIAL TELECONFERENCING RULE UNDER AB 361 PURSUANT TO GOVERNMENT CODE SECTION 54953 FOR THE COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD

Fiscal Impact

There is no fiscal impact associated with the requested action.

BACKGROUND:

A novel coronavirus (COVID-19) was detected in Wuhan City, Hubei Province in China in December 2019. Since then, the World Health Organization (WHO), and the U.S. Department of Health and Human Services (HHS) have declared COVID-19 a public health emergency. On January 30, 2020, the WHO declared the outbreak a "public health emergency of international concern." On January 31, 2020, HHS Secretary Alex M. Azar II declared a public health emergency for the United States to aid the nation's healthcare community in responding to



COUNTY OF SAN DIEGO

COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD

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COVID-19. Since then, the virus has spread rapidly across the globe, resulting in the WHO declaring COVID-19 a pandemic on March 11, 2020.

On February 14, 2020, the San Diego County Public Health Officer issued a Declaration of Local Health Emergency, pursuant to California Health and Safety Code Section 101080. Additionally, on that day, pursuant to California Government Code 8630, the Chief Administrative Officer (CAO), serving as the County of San Diego's (County) Director of Emergency Services and as the Coordinator of the Unified San Diego County Emergency Services Organization, issued a Proclamation of Local Emergency regarding COVID-19. The requirements to renew the Declaration of Local Health Emergency and Proclamation of Local Emergency for COVID-19 were waived on March 4, 2020, due to the Proclamation of a State of Emergency for California by Governor Gavin Newsom. On March 19, 2020, the State of California public health officials issued an order for anyone living in the State to stay home, except for those providing essential services.

As with other areas throughout the nation, there is community transmission of COVID-19 in San Diego County. The County has made significant efforts to "flatten the curve," slowing down the spread of the virus, which in turn helps to avoid an increase in the cases that overwhelm the healthcare system. For this reason, the San Diego County Public Health Officer continues to issue and amend Public Health Orders to enhance efforts to protect the health of the public. At this time, the CDC also continues to recommend physical distancing of at least 6 feet from others outside of the household. Since issuing Executive Order N-08-21, the highly contagious Delta and Omicron variants of COVID-19 have emerged, causing an increase in COVID-19 cases throughout the State and San Diego County, and because of the rise in cases due to the Delta and Omicron variants of COVID-19, the Oversight Board continues to be concerned about the health and safety of all individuals who attend public meetings of the Board.

Respectfully submitted,

ARDEE APOSTOL

Assistant Finance Director, HHSA-FSSD



COUNTY OF SAN DIEGO

COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD

AGENDA ITEM

COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD

VACANT

MARK BAKER

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ATTACHMENT(S)

A – Resolution No. OB-2023-001

AGENDA ITEM INFORMATION SHEET

PREVIOUS RELEVANT BOARD ACTIONS:

N/A

MANDATORY COMPLIANCE:

N/A

CONTACT PERSON(S):

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Resolution No: OB-2023-001

Meeting Date: 1/12/2023

A RESOLUTION OF THE SAN DIEGO COUNTYWIDE REDEVELOPMENT
SUCCESSOR AGENCY OVERSIGHT BOARD AUTHORIZING SPECIAL
TELECONFERENCING RULE UNDER AB 361 PURSUANT TO GOVERNMENT
CODE SECTION 54953 FOR THE COUNTYWIDE REDEVELOPMENT
SUCCESSOR AGENCY OVERSIGHT BOARD

WHEREAS, international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named "SARS-CoV-2," and the disease it causes has been named "coronavirus disease 2019," abbreviated COVID-19, ("COVID-19"); and

WHEREAS, on January 30, 2020, the World Health Organization ("WHO") declared a Public Health Emergency of International Concern as a result of the COVID-19 virus. On January 31, 2020, the United States Secretary of Health and Human Services also declared a Public Health Emergency of the COVID-19 virus; and

WHEREAS, on February 14, 2020, the San Diego County Health Officer declared a Local Health Emergency as a result of the COVID-19 virus, which was subsequently ratified by the Board of Supervisors on February 19, 2020; and

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency ("State of Emergency") pursuant to section 8625 of the California Emergency Services Act, in response to the COVID-19 pandemic; and,

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting law, Government Code section 54950 et seq. (the "Brown Act"), provided certain requirements were met and followed; and,

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 that clarified the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021; and,

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 which provides that a legislative body subject to the Brown Act may use revised teleconference rules provided under section 53593(e) if the legislative body makes certain findings and those findings are reconsidered every thirty (30) days, as applicable; and,

WHEREAS, the proclaimed State of Emergency remains in effect; and,

WHEREAS, the California Occupational Safety and Health Standards Board adopted California Code of Regulations, Title 8, Section 3205 which states, "particles containing the virus can travel more than six feet, especially indoors, so physical distancing, face coverings, increased ventilation indoors, and respiratory protection decrease the spread of COVID-19, but are most effective when used in combination;" and

Resolution No: OB-2023-001

Meeting Date: 1/12/2023

WHEREAS, on or about September 23, 2021, Dr. Wilma Wooten, the County of San Diego's Public Health Officer issued a letter recommending the utilization of teleconferencing options for public meetings as an effective and recommended social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and others from the COVID-19 virus (the "Teleconferencing Recommendation"), which recommendation continues to remain in effect; and

WHEREAS, the Centers for Disease Control and Prevention ("CDC") continues to recommend physical distancing of at least 6 feet from others outside of the household; and

WHEREAS, since issuing Executive Order N-08-21, the highly contagious Delta and Omicron variants of COVID-19 have emerged, causing an increase in COVID-19 cases throughout the State and San Diego County; and

WHEREAS, because of the rise in cases due to the Delta and Omicron variants of COVID-19, this legislative body continues to be concerned about the health and safety of all individuals who attend public meetings of this legislative body; and

WHEREAS, this legislative body has determined that conditions continue to exist to reauthorize teleconference meetings under AB 361, specifically, Governor Newsom's proclaimed State of Emergency due to COVID-19 continues to exist, and the County and CDC continue to recommend social distancing measures to protect the public from the COVID-19 virus; and

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, this legislative body deems it necessary to take action for purposes of utilizing the provisions of AB 361 related to teleconferencing;

NOW, THEREFORE, BE IT RESOLVED, by the San Diego Countywide Redevelopment Successor Agency Oversight Board as follows:

1. The recitals set forth above are true and correct and form the basis for the finding of this Resolution.
2. In compliance with AB 361 (2021), and in order to continue to conduct teleconference meetings pursuant thereto, this legislative body hereby finds that:
 - a. There is an existing proclaimed State of Emergency and state and local officials have imposed or recommended measures to promote social distancing, including but not limited to the Teleconferencing Recommendation; and
 - b. This legislative body has reconsidered the circumstances of the Governor's proclaimed State of Emergency; and
 - c. The State of Emergency, as declared by the Governor, continues to directly impact the ability of the members of the Oversight Board and the public from meeting safely in person; and
 - d. The CDC and the San Diego County Health Officer continue to recommend social distancing due to COVID-19 and as a result of the presence of COVID-

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19 and the Delta and Omicron variants, meeting in person would present imminent risks to the health or safety of attendees, including the public, members of the Oversight Board, and County staff.

3. In order to satisfy the requirements of Section 54953(e)(3) of the Brown Act, which allows local legislative bodies to continue utilizing simplified teleconferencing options under the Brown Act if certain findings are made no later than thirty (30) days after such simplified teleconferencing options are first used, County staff is directed, to the extent reasonably feasible, to return no later than thirty (30) days after the adoption of this Resolution with an item for this legislative body's reconsideration of these findings.
4. County staff is directed to take any other necessary or appropriate actions to implement the intent and purposes of this Resolution.
5. This finding is intended to apply to all of the legislative body subcommittees this legislative body has created.
6. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Oversight Board at a duly noticed meeting of the Oversight Board held on January 12, 2023.

Approved as to Form and Legality
By Steven Mattas, Oversight Board Counsel

Brian Hagerty
Chair, Oversight Board