

**RESOLUTION NO. 2022-04**

**Resolution No. 2022-04 authorizing use of remote teleconference  
by the ATN Board of Directors  
as authorized by Government Code Section 54953(e) et seq.  
for the period of March 24, 2022 through April 23, 2022**

WHEREAS, the Anaheim Transportation Network (ATN) is committed to preserving and nurturing public access, transparency, observation and participation in meetings of the ATN Board; and

WHEREAS, all meetings of the ATN Board are open and public, as required by the Ralph M. Brown Act, codified in Government Code sections 54950 et seq., so that any member of the public may attend, participate, and observe the ATN Board and conduct its business; and

WHEREAS, the Brown Act, as amended by Assembly Bill 361 (2021), codified in Government Code sections 54953(e) et seq., allows for remote teleconferencing observation and participation in meetings by members of a legislative body and members of the public, without compliance with the requirements of Government Code section 54953(b)(3) regarding teleconferencing, subject to the existence of certain conditions; and

WHEREAS, on March 4, 2020, pursuant to Government Code Section 8625, Governor Newsom declared the existence of a state of emergency for the State of California, in response to the outbreak of respiratory illness due to a novel coronavirus, known as COVID-19); and

WHEREAS, Government Code Section 54953(e) et seq. further requires that state or local officials have imposed or recommended measures to promote social distancing; or, the legislative body of the ATN finds that meeting in person would present a risk to the health and safety of attendees; and

WHEREAS, the ATN Board hereby acknowledges that such emergency conditions exist and such that meeting in person of the ATN Board would present a risk to the health and safety of attendees; and

WHEREAS, the ATN Board hereby finds that due to the ongoing State of Emergency and the public health threat posed by COVID-19, the Board seeks to make findings, as required by Assembly Bill 361, the likely inability to socially distance, and due to the unique characteristics of the size and capacity of its meeting location, meeting in person would present a risk to the health or safety of meeting attendees; and

WHEREAS, the circumstances of the State of Emergency continue to directly impact the ability of the members of the legislative body and members of the public to meet safely in person at the meeting facilities utilized by the ATN; and

WHEREAS, the ATN Board hereby finds that, as a consequence of the State of Emergency, the ATN Board shall conduct its meeting on March 28, 2022, without compliance with Government Code section 54953(b)(3), and shall instead comply with the remote teleconference meeting requirements as authorized by Government Code section 54953(e) et seq.; and

WHEREAS, the ATN Board affirms that it will allow for observation and participation by Board Members and the public via Zoom teleconferencing and phone access in an effort to protect the constitutional and statutory rights of all attendees.


NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE ANAHEIM TRANSPORTATION NETWORK, RESOLVES, AND ORDERS AS FOLLOWS:

Section 1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference

Section 2. The Executive Director is hereby authorized and directed 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, for all ATN Board meetings

Section 3. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) April 23, 2022

*ADOPTED, SIGNED and APPROVED* by the ATN Board of Directors

  
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Diana Kotler  
Executive Director  
\_\_\_\_\_  
Paul Sanford  
Chairman

I, Diana Kotler, Executive Director of the Anaheim Transportation Network, DO HEREBY CERTIFY that the foregoing Resolution Number 2022-004 was duly adopted by the Board of Directors at a regular meeting of said Board on the 28<sup>th</sup> day of March 2022, and that it was so adopted by the following vote:

AYES: 10  
NOES: 9  
ABSENT: 5

  
\_\_\_\_\_  
Diana Kotler  
Executive Director