



NOTICE OF REGULAR MEETING AND AGENDA

Notice is hereby given that a regular meeting of the Board of Trustees of CalTRUST will be held on February 17, 2022 at 12:00pm. The meeting will be held via remote teleconference per AB 361 and Resolution 2022-01.

Zoom Meeting Link: <https://us02web.zoom.us/j/9167456703>

Public Conference Call Access: (669) 900-6833 Access Code: 916 745 6703

Public Comment – *In accordance with Government Code Section 54954.3, any member of the public may address the Board concerning any matter on the agenda before the Board acts on it and on any other matter during the public comment period.*

**February 17, 2022
AGENDA**

12:00 p.m. Presiding: John Colville

1. Roll Call

- _____ John Colville - **President**
- _____ Don Kent - **Secretary**
- _____ Chuck Lomeli
- _____ Brian Mayhew
- _____ Dan McAllister
- _____ Bobbie Ormonde

2. Adopt Resolution 2022-02: A Resolution of CalTRUST authorizing remote teleconference meetings of the legislative bodies of CalTRUST for the period of February 17, 2022 thru March 19 2022 pursuant to the Ralph M. Brown Act and AB 361

Laura Labanieh – ACTION ITEM

3. Public Comment

Any member of the public may address the Board concerning any matter not on the Agenda within the Board’s jurisdiction.

4. Other Business

5. Adjourn

A person with a qualifying disability under the Americans with Disabilities Act of 1990 may request the Agency provide a disability-related modification or accommodation in order to participate in any public meeting of the Agency. Such assistance includes appropriate alternative formats for the agendas and agenda packets used for any public meetings of the Agency. Requests for such assistance and for agendas and agenda packets shall be made in person, by telephone, facsimile, or written correspondence to the Agency office, at least 48 hours before a public Agency meeting.

RESOLUTION NO. 2022-02

A RESOLUTION OF THE BOARD OF DIRECTORS OF CALTRUST PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY CALIFORNIA GOVERNOR GAVIN NEWSOM'S MARCH 4, 2020 STATE OF EMERGENCY DECLARATION, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF CALTRUST FOR THE PERIOD FEBRUARY 17, 2022 thru MARCH 19, 2022, PURSUANT TO BROWN ACT PROVISIONS .

WHEREAS, CALTRUST, a California Joint Powers Authority formed and operating pursuant to the provisions of California Government Code Section 6500 et seq., is committed to preserving and nurturing public access and participation in meetings of the Board of Directors of the CALTRUST; and

WHEREAS, all meetings of CALTUST's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963; the “Brown Act”), so that any member of the public may attend, participate, and watch the CALTRUST’s legislative bodies conduct their business;and

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

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

WHEREAS, such a gubernatorial proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within CALTRUST.s boundaries, caused by natural, technological, or human -caused disasters; and

WHEREAS, an additional condition to adopting the remote teleconference provisions contained in Government Code Section 54953(e) is that state or local officials have imposed or recommended measures to promote social distancing, or, in the alternative, that the legislative body of CALTRUST is meeting or has met to evaluate and make findings that meeting in person would present imminent risks to the health and safety of attendees;

WHEREAS, as of the date of this Resolution neither the Governor nor the State Legislature have exercised their respective powers pursuant to Government Code Section 8629 to lift the state of

emergency either by proclamation or by concurrent resolution of the State Legislature; and

WHEREAS, the California Department of Industrial Relations has issued regulations related to COVID 19 prevention for employees and places of employment. Title 8 of the California Code of Regulations, Section 3205(5)(D) specifically recommends physical distancing as one of the measures to decrease the spread of COVID 19 based on the fact that particles containing the virus can travel more than 6 feet, especially indoors; and

WHEREAS, such conditions now exist with respect to CALTRUST, specifically (1) an active declaration of a state of emergency related to COVID-19 within the State of California, issued on March 4, 2020 by California Governor Gavin Newsom; and (2) state or local officials have imposed or recommended measures to promote social distancing as one of the measures to decrease the spread of COVID 19 based on the issuance of Title 8 of the California Code of Regulations, Section 3205(5)(D) by the California Department of Industrial Relations, and (3) the holding of a meeting of the Board of Directors of CALTRUST at which this resolution is to be considered, to evaluate and make findings as to whether, at the present time, meeting in person by the CALTRUST Board of Directors presents imminent risks to the health and safety of attendees of such meetings;

WHEREAS, the Board of Directors does hereby find that spread of COVID-19 giving rise to the March 4, 2020, state of emergency declaration and the issuance of regulations by the California Department of Industrial Relation at 8 CCR section 3205(5)(D) imposing and recommending social distancing in the workplace has caused, and will continue to cause, conditions of peril to the health and safety of CALTRUST employees, JPA members, members of the Board of Directors, consultants and the public that require social distancing measures in the conduct of its public meetings, and desires to ratify the proclamation of the state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the emergency, the Board of Directors does hereby find that the legislative bodies of CALTRUST shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

NOW, THEREFORE, THE BOARD OF DIRECTORS OF CALTRUST DOES HEREBY RESOLVE AS FOLLOWS :

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

Section 2. Proclamation of Local Emergency. The Board hereby proclaims that a local emergency now exists throughout CALTRUST's jurisdiction, and conducting public

meetings in person in light of the active March 4, 2020 state of emergency declaration would present imminent risks to the health or safety of attendees of such meetings, risking potential exposure and the potential spread of COVID-19.

Section 3. Ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings. The Staff and legislative bodies of CALTRUST are 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.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) March 19, 2022, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of CALTRUST may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors CALTRUST this 17th day of February 2022, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT: