



January 12, 2023

Delta Conveyance Design and Construction Authority
Board of Directors

Subject: ***Materials for the January 13, 2023 Special Board Meeting***

Members of the Board:

The Delta Conveyance Design and Construction Authority (DCA) Board of Directors will have a Special Board Meeting and is scheduled for **Friday, January 13th, 2023 at 10:00a.m.** and will be a **virtual** meeting. The call-in and video information is provided in the attached agenda. Meeting information will also be posted on the dcdca.org website.

Please note that given the current COVID-19 guidelines, the DCA will comply with public health recommendations regarding public meetings and social distancing efforts. Any meeting changes or cancellation will be communicated.

Enclosed are the materials for the Board meeting in a PDF file, which has been bookmarked for your convenience.

Regards,

A handwritten signature in blue ink that reads "Graham C. Bradner". The signature is fluid and cursive, written in a professional style.

Graham Bradner
DCA Executive Director



DELTA CONVEYANCE DESIGN AND CONSTRUCTION AUTHORITY
BOARD OF DIRECTORS MEETING

SPECIAL MEETING

Friday, January 13, 2023

10:00 a.m.

Virtual Meeting (Remote Attendance)

(Authorized by AB 2449 / Government Code Section 54953(e))

Conference Access Information:

Phone Number: (669) 444-9171 Access Code: 86020353412#

Electronic Meeting Link: <https://dcdca-org.zoom.us/j/86020353412>

Please join my meeting from your computer, tablet, or smartphone

Additional information about participating by telephone or via the remote meeting solution is available here: <https://www.dcdca.org>

AGENDA

In compliance with Government Code Section 54953(e), the meeting will be held virtually through the listed meeting link and telephone number. Assistance to those wishing to participate in the meeting remotely will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested person must request the accommodation as soon as possible in advance of the meeting by contacting the DCA support staff at (888) 853-8486 or info@dcdca.org. Members of the public may speak regarding items on the agenda during those items and when recognized by the Chair. Speakers are limited to three minutes each; however, the Chair may limit this time when reasonable based on the circumstances. Persons wishing to provide public comment remotely on Agenda Items are encouraged to complete a public comment request form at: <https://tinyurl.com/dcapubliccomment> by 10:00 a.m. In addition, members of the public may use the "raise hand" function (*9 if participating by telephone only) during the meeting to request the opportunity to speak. Additional information will be provided at the commencement of the meeting.

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. PUBLIC COMMENT

Members of the public may address the Authority on matters that are within the Authority's jurisdiction but not on the agenda at this time. Speakers are generally limited to three minutes each; however, the Chair may further limit this time when reasonable based on the circumstances. Persons wishing to speak may do so remotely through the electronic meeting link or teleconference number when recognized by the Chair.



5. DISCUSSION ITEMS

- (a) Approve Extending Resolution Authorizing Virtual Board and Committee Meetings Pursuant to AB 361/AB 2449.
Recommended Action: Approve by Motion

6. ADJOURNMENT

* * * * *

Next scheduled meeting: February 16, 2023 Regular Board Meeting at 2:00 p.m. (1:30 p.m. if there is a closed session).

Board Memo

Contacts: Josh Nelson, General Counsel

Date: January 13, 2023, Special Board Meeting

Item No. 5a

Subject:

Extend Resolution 2021-08 for Thirty Days to Re-Authorize Virtual Public Meetings in Accordance with AB 2449.

General:

At the November 2021 Board Meeting, the Board adopted Resolution 2021-08, authorizing virtual public meetings in accordance with Assembly Bill (AB) 361. Meeting virtually helps contain the spread of the COVID-19 virus and keeps the Board, staff and the public safe.

Pursuant to AB 361, once a resolution is adopted, a local agency may meet virtually for a maximum period of 30 days. Prior to expiration of the 30 -day period, the local agency needs to renew its resolution if the Board would like to continue meeting virtually or in a hybrid format.

In accordance with Resolution 2021-08, the Board of Directors may extend the application of this Resolution, by motion and majority vote by up to thirty days at a time, if it makes all necessary findings consistent with and pursuant to the requirements of Section 54953(e)(3). This item would extend Resolution 2021-08 for thirty days given the continued need to meet remotely in response to the COVID-19 pandemic. As set forth in the resolution, State and local officials have recommended social distancing and meeting in person presents imminent risks to the health and safety of attendees.

AB 361 expired at the end of 2022, but AB 2449 continued these provisions. All references to AB 361 in Resolution 2021-08 and this staff report include AB 2449.

Recommended Action:

By motion, extend Resolution 2021-08 for thirty days to re-authorize virtual public meetings in accordance with AB 2449.

Attachments:

Resolution 21-08

**BOARD OF DIRECTORS OF THE DELTA CONVEYANCE DESIGN AND CONSTRUCTION AUTHORITY
RESOLUTION NO. 21-08**

Introduced by Director: Sarah Palmer

Seconded by Director: Tony Estremera

AUTHORIZING VIRTUAL BOARD AND COMMITTEE MEETINGS PURSUANT TO AB 361

Whereas, the Delta Conveyance Design and Construction Authority (DCA) is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

Whereas, all meetings of DCA's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend and participate in DCA's meetings; and

Whereas, starting in March 2020, in response to the spread of COVID-19 in the State of California, the Governor issued several executive orders aimed at containing the COVID-19 virus; and

Whereas, among other things, these orders waived certain requirements of the Brown Act to allow legislative bodies to meet virtually; and

Whereas, pursuant to the Governor's executive orders, DCA has been holding virtual meetings during the pandemic in the interest of protecting the health and safety of the public, staff, and Directors; and

Whereas, the Governor's executive order related to the suspension of certain provisions of the Brown Act expired on September 30, 2021; and

Whereas, on September 16, 2021 the Governor signed AB 361 (in effect as of October 1, 2021 – Government Code Section 54953(e)), which allows legislative bodies to meet virtually provided there is a state of emergency, and either (1) state or local officials have imposed or recommended measures to promote social distancing; or (2) the legislative body determines by majority vote that meeting in person would present imminent risks to the health and safety of attendees; and

Whereas, such conditions now exist in the DCA, specifically, a state of emergency has been proclaimed related to COVID-19, Sacramento County officials are imposing and recommending measures to promote social distancing, and because of the ongoing threat of COVID-19, meeting in person would present imminent risks to the health and safety of attendees;

Now, therefore, be it resolved by the DCA Board of Directors 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. Remote Teleconference Meetings. Consistent with the provisions of Government Code Section 54953(e), the Board of Directors finds and determines that (1) a state of emergency related to COVID-19 is currently in effect; (2) local officials in Sacramento County have imposed or recommended measures to promote social distancing in connection with COVID-19, including indoor mask requirements; and (3) due to the COVID-19 emergency, meeting in person would present imminent risks to the health and safety of attendees. Based on such facts, findings and determinations, the Board authorizes staff to conduct remote teleconference meetings of the Board of Directors, the Stakeholder Engagement Committee and all other DCA legislatives bodies, under the provisions of Government Code Section 54953(e).

Section 3. Effective Date of Resolution. This Resolution shall take effect upon its adoption, and shall be effective for 30 days or until this Resolution is extended by a majority vote of the Board of Directors in accordance with Section 4 of this Resolution.

Section 4. Extension by Motion. The Board of Directors may extend the application of this Resolution by motion and majority vote by up to thirty days at a time, provided that it makes all necessary findings consistent with and pursuant to the requirements of Section 54953(e)(3).

* * * * *

This Resolution was passed and adopted this 18th day of November, 2021, by the following vote:

Ayes:7
Noes:0
Absent:0
Abstain:0

Attest:

DocuSigned by:
Richard Atwater 12/15/2021
0282CDAE01D7427...
Richard Atwater, Board President

DocuSigned by:
Martin Milobar 12/15/2021
CC3A6997DF1F4B7...
Martin Milobar, Board Secretary