

VICTOR VALLEY COMMUNITY COLLEGE
BOARD OF TRUSTEES
EMERGENCY RESOLUTION NO.

AUTHORIZING VIRTUAL MEETINGS PURSUANT TO AB 361

WHEREAS, Victor Valley Community College District (“District”) is committed to ensuring public access and participation in Board of Trustees meetings; and

WHEREAS, the public health and safety of attendees at public hearings in the District is of the utmost importance; and

WHEREAS, all meetings of the District’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; and

WHEREAS, a novel corona virus, COVID-19, causes infection disease and was first detected in other countries in December 2019; and

WHEREAS, the Governor proclaimed a State of Emergency on March 4, 2020, related to the COVID-19 pandemic, which remains in effect today; and

WHEREAS, starting in March 2020, in response to the spread of COVID-19 in the State of California, the Governor issued a number of Executive Orders aimed at containing the COVID-19 virus; and

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

WHEREAS, pursuant to the Governor’s Executive Orders, the District held virtual meetings during the pandemic in the interest of protecting the health and safety of the public, District staff and elected officials; and

WHEREAS, the Governor’s Executive Orders 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 (effective October 1, 2021 – Government Code Section 54953(e)), which allows legislative bodies to meet virtually with specific procedural safeguards 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, amidst the increase of COVID-19 cases due to the Omicron variant, the District has faced staffing shortages and, in an effort to preserve the public health and safety of residents and staff; and

WHEREAS, state or local officials currently recommend measures to promote social distancing, specifically, 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,"

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Victor Valley Community College District, Victorville, California, as follows:

1. That the Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. That consistent with the provisions of Government Code Section 54953(e), the Board of Trustees finds and determines that (1) a state of emergency related to COVID-19 is currently in effect, (2) state or local officials have recommended measures to promote social distancing in connection with COVID-19, and (3) meeting in person would present imminent risks to the health and safety of attendees.
3. That the Board of Trustees may extend the application of this Resolution by motion and majority vote by up to 30 days at a time, provided that it makes all necessary findings consistent with and pursuant to the requirements of Section 54953(e)(3).

PASSED, APPROVED AND ADOPTED this 11th day of January, 2022.