

**BOARD OF DIRECTORS OF THE BROAD BEACH  
GEOLOGIC HAZARD ABATEMENT DISTRICT**

Adopted this Resolution on December 18, 2022 by the following vote:

**AYES:** Karro, Kuba, Needleman, Antoci

**NOES:** ∅

**ABSENT:** Manciel

**ABSTAIN:** ∅

**RESOLUTION NO. 2022/07**

**A RESOLUTION OF THE BBGHAD BOARD OF DIRECTORS MAKING FINDINGS  
AND DETERMINATIONS UNDER AB 361 FOR THE CONTINUATION OF VIRTUAL  
MEETINGS AND AUTHORIZING VIRTUAL BOARD MEETINGS PURSUANT TO AB  
361**

The BBGHAD ("District") Board of Directors ("Board") hereby finds, orders, and resolves as follows:

**WHEREAS**, The Ralph M. Brown Act (Gov. Code § 54950 et seq.) generally requires local agencies meeting via teleconference, including through other virtual or electronic means, to provide public access at each location in which members of the legislative body are teleconferencing;

**WHEREAS**, The Governor issued a proclamation declaring a state of emergency on March 4, 2020 due to the COVID-19 pandemic, pursuant to section 8625 of the California Emergency Services Act, and this proclaimed state of emergency currently remains in effect;

**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;

**WHEREAS**, State or local officials continue to impose and recommend measures to promote social distancing;

**WHEREAS**, the Board has considered the circumstances of the state of emergency and finds that the continuation of virtual meetings will allow for full participation by members of the public until social distancing recommendations are lifted; and

**WHEREAS**, the Board desires to continue to hold virtual meetings pursuant to AB 361 and Government Code section 54953(e).

**The BBGHAD BOARD OF DIRECTORS HEREBY RESOLVES THAT:**

1. Consistent with the provisions of Government Code § 54953(e), the Board finds and determines that the Board shall be authorized to continue to meet virtually in accordance with Government Code § 54953(e) and without compliance with § 54953(b)(3) based upon the findings and determinations hereby made by the Board.

2. This Resolution shall take effect immediately upon its adoption and remain in effect for 30 days or until such time as the Board affirms this resolution in accordance with Government Code § 54953(e)(3) to extend the time during which the BBGHAD and its Board may continue to teleconference without compliance with Government Code § 54953(b)(3).

3. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Board hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.

4. The Board shall certify the passage and adoption of this resolution and enter it into the book of original resolutions

DATED: December 18, 2022

  
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NORTON KARNO, Chair

I, Heike Fuchs, Clerk of the Broad Beach Geologic Hazard Abatement District, certify that the foregoing resolution was duly adopted by the Board of Directors of the District at a regular meeting held on the 18th day of December, 2022 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

  
\_\_\_\_\_  
Clerk of the BBGHAD Board