

**RESOLUTION MAKING FINDINGS IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54953(e) AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF LOS ANGELES**

*James Johnson*

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Douglas Guthrie  
President & Chief Executive Officer

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James Johnson  
General Counsel

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**Purpose:** To adopt a Resolution which will enable the Board of Commissioners of the Housing Authority of the City of Los Angeles (“Board”) to comply with the requirements of AB 361 and authorize the continued use of teleconferencing for meetings of the Board.

**Issues:** On September 16, 2021, Governor Newsom signed Assembly Bill 361 (“AB 361”), which adds Government Code section 54953(e) to the Brown Act and provides for remote teleconferencing subject to the existence of certain conditions.

AB 361 amended Government Code section 54953 to add new subsection (e) that permits legislative bodies, when there is a state of emergency declared by the Governor pursuant to Government Code section 8625, to make a determination to authorize meeting remotely via teleconferencing as a result of the emergency. To do so, a resolution would need to be adopted in which the legislative body finds that meeting in person would present imminent risks to the health or safety of attendees, or that state or local officials have imposed or recommended measures to promote social distancing. The aforementioned procedures for teleconference meetings set forth in Government Code section 54953(e) (AB 361) are set to expire on January 1, 2024.

The proposed Resolution includes findings based upon a determination that, as a result of the proclaimed state of emergency in California due to the COVID-19 pandemic and its continued spread in Los Angeles County and the City of Los Angeles, County health officials continue to recommend social distancing to reduce the transmission of Covid-19.

The Board has effectively and efficiently conducted its meetings by teleconference since March 2020. Adoption of the Resolution will satisfy the findings requirements of Government Code Section 54953(e) and allow the Board to safely continue carrying out its business in a manner that will minimize the risk of contracting COVID-19 for everyone involved.

Board adoption of the Resolution would permit meeting under the provisions of AB 361 for a maximum period of 30 days. After 30 days, the Board would need to renew its resolution, consistent with the requirements of AB 361, if HACLA desires to continue meeting under the modified Brown Act requirements, or allow the resolution to lapse.

**Vision Plan: Pathways Strategy #5 – Organizational Efficiency; People Strategy – Community Health & Wellness and Public Safety**

Adopting this Resolution authorizing remote meetings pursuant to AB 361 is consistent with the Vision Plan's strategies to engage residents and program participants in HACLA's programs while protecting public health.

**Funding:** No funds are required for this action.

**Environmental Review:** Not applicable.

**Section 3:** Not applicable.

**Attachments:**

1. Resolution
2. LACDPH Publication: "Covid 19: Reducing Risk[,] Keeping Safe & Reducing Spread"

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION MAKING FINDINGS IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54953(e) AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF LOS ANGELES**

**WHEREAS**, the Housing Authority of the City of Los Angeles (“HACLA”) is a public body, corporate and politic, duly created, established, and authorized to transact business and exercise powers under and pursuant to the provisions of the Housing Authorities Law, Section 34200, et seq. of the California Health and Safety Code;

**WHEREAS**, HACLA is committed to preserving and encouraging public access and participation in meetings of its Board of Commissioners (“Board”);

**WHEREAS**, all meetings of HACLA’s Board are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code sections 54950, et seq.) (the “Brown Act”), so that any member of the public may attend, participate, and watch the Board conduct its business;

**WHEREAS**, on September 16, 2021, Governor Gavin Newsom signed Assembly Bill 361 (“AB 361”), which added subsection (e) to Government Code section 54953 of the Brown Act, and makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions;

**WHEREAS**, it is required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees;

**WHEREAS**, on March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency exists in California as a result of the threat of the COVID-19 virus, and despite sustained efforts, the virus continues to spread and is impacting nearly all sectors of California;

**WHEREAS**, the County of Los Angeles Department of Public Health Officer has issued numerous recommendations advising residents to social distance to reduce their risk of contracting or spreading Covid-19, such as in their publication entitled “Covid 19: Reducing Risk[,] Keeping Safe & Reducing Spread”;

**WHEREAS**, as a consequence of the state of emergency and social distancing recommendations, the Board does hereby find that it may conduct its meetings as authorized by subdivision (e) of section 54953, and that HACLA shall comply with the requirements to provide the public with access to such meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

**WHEREAS**, the Board will continue to post meeting agendas online in accordance with Brown Act requirements, make the meetings available online, and allow for public participation in the Board meetings, including by offering public comment in real time at the Board meetings.

**NOW, THEREFORE**, the Board 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. State of Emergency.** The Board hereby finds that the Governor of the State of California (the “Governor”) proclaimed a state of emergency on March 4, 2020 related to the Covid-19 pandemic, and that this state of emergency is ongoing until terminated by the Governor.

**Section 3. Protecting Public Health.** The Board hereby finds that the Los Angeles County Department of Public Health continues to recommend measures to promote social distancing to reduce the risk of transmission of Covid-19.

**Section 4. Remote Teleconference Meetings.** The President and Chief Executive Officer 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) (AB 361) and other applicable provisions of the Brown Act.

**Section 5. Effective Date of Resolution.** This Resolution shall take effect immediately upon its adoption.

APPROVED AS TO FORM

HOUSING AUTHORITY OF THE  
CITY OF LOS ANGELES

By: \_\_\_\_\_  
James Johnson, General Counsel

By: \_\_\_\_\_  
Cielo Castro, Chairperson

DATE ADOPTED: \_\_\_\_\_