

**DRAFT****RESOLUTION 20xx-xxx****RESOLUTION REGARDING DISTRICT VIRTUAL MEETINGS IN ACCORDANCE WITH THE RALPH M. BROWN ACT AND ASSEMBLY BILL 361**

**WHEREAS**, the San Diego Unified Port District (District) is a public corporation created by the legislature in 1962 pursuant to Harbors and Navigation Code Appendix 1 (Port Act); and

**WHEREAS**, California Assembly Bill 361 enacted certain exceptions to the Ralph M. Brown Act (Brown Act) to allow virtual and hybrid meetings of the public agencies when there is a proclaimed state of emergency and state or local officials are recommending measures to promote social distancing; and

**WHEREAS**, on March 4, 2020, the Governor declared a state of emergency related to COVID-19, and the District similarly declared a state of emergency on March 18, 2020; and

**WHEREAS**, both state of emergencies remain in force; and

**WHEREAS**, in addition to other social distancing recommendations by state, federal, and local agencies, on September 23, 2021, Wilma J. Wooten, the Public Health Officer for the County of San Diego, issued a Health Officer Teleconference Recommendation which recommends continued virtual Brown Act meetings to help prevent the spread of COVID-19; and

**WHEREAS**, staff recommends the Board adopt a resolution making the finding that, based on continued state, federal, and local recommendations for social distancing, the Brown Act meetings of the District, including meetings of the Board of Port Commissioners and other District meetings held in accordance with the Brown Act are permitted to use the exceptions to Brown Act rules set forth in AB 361; and

**WHEREAS**, this authorization expires if not renewed at the November 2022 regular meeting of the Board of Port Commissioners.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Port Commissioners of the San Diego Unified Port District, that based on continued state, federal, and local recommendations for social distancing, the Brown Act meetings of the District, including meetings of the Board of Port Commissioners and other District meetings held in accordance with the Brown Act are permitted to use the exceptions to Brown Act rules set forth in AB 361.

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**NOW, THEREFORE, BE IT FURTHER RESOLVED** by the Board of Port Commissioners of the San Diego Unified Port District, that this authorization expires if not renewed at the November 2022 regular meeting of the Board of Port Commissioners.

APPROVED AS TO FORM AND LEGALITY:  
GENERAL COUNSEL

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By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 11<sup>th</sup> day of October 2022, by the following vote: