



Foothill Transit

# Executive Board Meeting AGENDA

## SPECIAL EXECUTIVE BOARD MEETING - TELECONFERENCE

8:00 AM, APRIL 6, 2022

Foothill Transit Administrative Office

2<sup>nd</sup> Floor Board Room

100 South Vincent Avenue

West Covina, CA 91790

FOOTHILL TRANSIT IS TAKING ALL PRECAUTIONS POSSIBLE TO PREVENT THE SPREAD OF COVID-19. FOR THE HEALTH AND SAFETY OF ALL EXECUTIVE BOARD MEMBERS, FOOTHILL TRANSIT STAFF, AND THE PUBLIC, PARTICIPATION IN THE MEETING WILL BE DONE REMOTELY VIA TELECONFERENCE USING THE FOLLOWING ZOOM MEETING LINK: <https://foothilltransit.zoom.us/j/89854716476>. ALTERNATIVELY, TO PARTICIPATE VIA PHONE, DIAL (669) 900-6833 AND ENTER MEETING ID: 898-5471-6476.

1. CALL TO ORDER
2. ROLL CALL: MEMBERS BOYER, CALAYCAY, MOSS, SHEVLIN, STERNQUIST
3. CONFIRMATION OF AGENDA BY CHAIR AND CHIEF EXECUTIVE OFFICER
4. RESOLUTION AUTHORIZING TELECONFERENCED PUBLIC MEETINGS

*Recommended Action: Adopt Resolution 2022-07 (Attachment A) authorizing teleconferenced public meetings for the Executive Board and Governing Board if needed for the next 30 days.*

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Public Comment: Members of the public shall have the right to address the Board on any item of interest which is within the jurisdiction of the Board before or during the Board's consideration of the item. Presentation shall not exceed two minutes in length. Action may be taken on any item identified on the agenda. Persons wishing to comment should submit a "Request to Speak" form to the Secretary. Note: ACTION MAY BE TAKEN ON ANY ITEM IDENTIFIED ON THE AGENDA.

The public may view and obtain all written information supporting this agenda provided to the board both initially and supplementary prior to the meeting by calling (626) 931-7300 extension 7204 or at the agency's offices located at 100 S. Vincent Ave., Suite 200, West Covina, CA 91790. Documents, including PowerPoint handouts, distributed to Board Members by staff or Board Members at the meeting will simultaneously be made available to the public upon request.



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- 5. CHIEF EXECUTIVE OFFICER COMMENT
- 6. BOARD MEMBER COMMENT
- 7. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION Existing Litigation, Government Code § 54956.9(a)

Name of Case: *Julian Bryant, et al. v. City of Pomona, Foothill Transit, et al.*, Los Angeles Superior Court Case No. 19STCV46308

- 8. CLOSED SESSION REPORT
- 9. ADJOURNMENT

In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please contact the Executive Director’s office at (626) 931-7300 extension 7204, at least 48 hours prior to the meeting.

If you require translation services, please contact the Chief Executive Officer’s office at (626) 931-7300 extension 7204, at least 48 hours prior to the meeting.

Si necesita servicios de traducción, comuníquese con la oficina del Director Ejecutivo llamando al (626) 931-7300, extensión 7204, al menos 48 horas antes de la reunión.

若需要翻譯服務，請在會議前至少48小時聯絡執行長辦公室 ( 626 ) 931-7300分機7204

Nếu quý vị yêu cầu dịch vụ dịch thuật, vui lòng liên hệ với văn phòng Giám Đốc Điều Hành theo số (626) 931-7300, số máy lẻ 7204, ít nhất 48 giờ trước cuộc họp

Kung kailangan mo ng serbisyong pagsasalin, mangyaring makipag-ugnayan sa tanggapan ng Punong Ehekutibong Opisyal sa numerong (626) 931-7300 ekstensyon 7204, hindi bababa ng 48 oras bago ang pagpupulong

번역 서비스가 필요한 경우, 회의가 시작되기 최소 48시간 전에 (626) 931-7300 내선 7204번으로 최고경영자실에 연락하십시오.

通訳／翻訳サービスが必要な際は、ミーティング48時間前までに、CEO/最高経営責任者事務所までに連絡してください。CEO事務所連絡先：(626) 931-7300内線7204

اگر به خدمات ترجمه نیاز دارید، لطفاً دست کم 48 ساعت قبل از شروع جلسه با دفتر مدیر عامل به شماره تلفن (626) 931-7300 داخلی (626) 931-7300 تماس بگیرید

ចាប់ពី ២៤ ម៉ោង មុនពេលដែលមានការប្រជុំ យើងស្នើសុំឱ្យអ្នកទាក់ទងទៅទាក់ទងយើង ៤៨ ម៉ោង មុនពេលដែលមានការប្រជុំ តាមរយៈលេខទូរស័ព្ទ (626) 931-7300 លេខក្នុងបន្ត 7204 ដើម្បីស្នើសុំសេវាប្រែប្រួលភាសា។

ប្រសិនបើលោកអ្នកត្រូវការសេវាកម្មបកប្រែភាសា សូមទាក់ទងការិយាល័យនាយកក្នុងការប្រតិបត្តិការតាមលេខ (626) 931-7300 លេខក្នុងបន្ត 7204, ដែលមានរយៈពេលយ៉ាងតិច 48 ម៉ោងមុនកិច្ចប្រជុំ

في حالة الحاجة لخدمات الترجمة، يرجى الاتصال بمكتب الرئيس التنفيذي على رقم الهاتف (626) 931-7300 (الرقم الداخلي 7204) وذلك قبل 48 ساعة على الأقل من الاجتماع

หากคุณต้องการบริการล่าม โปรดติดต่อสำนักงานประธานเจ้าหน้าที่บริหารที่ (626) 931-7300 ต่อ 7204 อย่างน้อย 48 ชั่วโมงก่อนการประชุม



April 6, 2022

To: Executive Board

Subject: **Resolution Authorizing Teleconferenced Public Meetings**

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**Recommendation**

Adopt Resolution 2022-07 (Attachment A) authorizing teleconferenced public meetings for the Executive Board and Governing Board if needed for the next 30 days.

**Analysis**

Government Code Section 54953 of the Ralph M. Brown Act was amended by AB 361 on an urgency basis to permit continued agency public meetings by teleconference on and after October 1, 2021, subject to making the following findings:

- (A) The legislative body has reconsidered the circumstances of the state of emergency.
- (B) Any of the following circumstances exist:
  - (i) The state of emergency continues to directly impact the ability of the members to meet safely in person.
  - (ii) State or local officials continue to impose or recommend measures to promote social distancing.

On March 25, 2022, the Executive Board made these findings in Resolution 2022-06, which permitted public meetings by teleconference through April 24, 2022.

To continue to convene public meetings by teleconferencing for 30 days after April 6, 2022, (through May 6, 2022), the Executive Board must now make the findings embodied in Resolution 2022-07.

Sincerely,

Darold Pieper  
General Counsel

Doran J. Barnes  
Chief Executive Officer

**RESOLUTION NO. 2022-07**  
**A RESOLUTION OF THE EXECUTIVE BOARD OF**  
**FOOTHILL TRANSIT AUTHORIZING REMOTE**  
**TELECONFERENCE MEETINGS OF THE FOOTHILL**  
**TRANSIT EXECUTIVE BOARD AND GOVERNING BOARD**  
**PURSUANT TO RALPH M. BROWN ACT**

**The Executive Board of Foothill Transit does resolve as follows:**

**1. Findings.** The Executive Board hereby finds and declares the following:

A. Government Code Section 54953 of the Ralph M. Brown Act was amended by AB 361 on an urgency basis to permit continued agency public meetings by teleconference on and after October 1, 2021, subject to the following findings:

(1) The Governor issued a Proclamation of State of Emergency on March 4, 2020, pursuant to section 8625 of the California Emergency Services Act, and that Proclamation has not been terminated as required by section 8629 of that Act.

(2) The California Department of Public Health continues to urge residents to “continue to practice physical distancing when possible”.

(3) The Los Angeles County Department of Public Health continues to recommend that residents social distancing and the use of masks indoors with people outside ones’ household.

(4) The public meeting spaces at Foothill Transit are not large enough to permit public meetings of the Governing Board and the Executive Board while providing a Covid 19-safe meeting place with appropriate social distancing as recommending by the state and county.

(5) The Executive Board has reconsidered the circumstances of the state of emergency which can vary greatly by time and date depending upon multiple factors with the progression of the pandemic.

(6) The state of emergency may continue to directly impact the ability of the members to meet safely in person.

[Continued on page 2.]

## Attachment A

B. Accordingly, there may be a need for the Foothill Transit Executive Board or Governing Board to meet by teleconferencing meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953.

### 2. Action.

A. The Executive Board directs that Executive Board or Governing Board meetings held within the next 30 calendar days may be held by teleconferencing in compliance with section 54953(e) of the Ralph M. Brown Act.

B. The determination of whether to meet by teleconferencing or in person shall be made by the Chair of the Executive Board in consultation with the Chief Executive Officer and General Counsel.

C. This Resolution shall be effective immediately and remain in effect through May 6, 2022, or until such time the Executive Board adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of Foothill Transit may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

**3. Adoption.** PASSED AND ADOPTED at a Special Meeting of the Executive Board held on April 6, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

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CYNTHIA STERNQUIST, CHAIR

APPROVED AS TO FORM:  
DAROLD PIEPER, GENERAL COUNSEL

ATTEST:  
CHRISTINA LOPEZ, BOARD SECRETARY

By: \_\_\_\_\_

By: \_\_\_\_\_