

BEFORE  
THE MADERA LOCAL AGENCY FORMATION COMMISSION  
STATE OF CALIFORNIA

In the Matter of	)	Resolution No. 2023-
	)	
MADERA LOCAL AGENCY	)	A RESOLUTION APPROVING REMOTE
FORMATION COMMISSION	)	COMMISSION MEETINGS
	)	DURING DECLARED STATE OF
	)	EMERGENCY IN ACCORDANCE
	)	WITH GOVERNMENT CODE
	)	SECTION 54953 (ASSEMBLY BILL 361)
	)	

---

**WHEREAS**, on March 4, 2020, the Governor of California declared a state of emergency in the State as a result of the COVID-19 pandemic; and

**WHEREAS**, on October 8, 2021, Madera County Health Officer Dr. Simon Paul issued a letter recommending utilization of teleconferencing for public meetings to protect themselves and others from the spread of the COVID-19 virus; and

**WHEREAS**, Assembly Bill ("AB") 361 amended Government Code Section 54953 of the Brown Act to authorize local agencies to use teleconferencing and videoconferencing without complying with the typical teleconferencing requirements imposed by the Brown Act when a local agency legislative body holds a meeting during a declared state of emergency and other requirements are satisfied; and

**WHEREAS**, the state of emergency proclaimed by the Governor on March 4, 2020, has not been rescinded and remains in effect; and

**WHEREAS**, the teleconferencing recommendation from Madera County Health Officer Dr. Simon Paul has not been rescinded and remains in effect; and

**WHEREAS**, the Madera Local Agency Formation Commission (“Madera LAFCO”) has determined that teleconferencing from remote locations by the public and members of the Commission will not limit attendance or participation of members of the public or Commission members at Commission meetings and requiring all Commission members and all members of the public to attend meetings in person could present risks to the health or safety of some attendees.

**NOW, THEREFORE, BE IT RESOLVED**, the Madera Local Agency Formation Commission does hereby determine and order as follows:

1. The Madera LAFCO has reconsidered the circumstances of the COVID-19 state of emergency and finds that the following circumstances exist:
  - a. The state of emergency continues to directly impact the ability of members of the public and LAFCO Commissioners to meet safely in person; and
  - b. The State’s declaration of emergency resulting from the COVID-19 pandemic remains in place; and
  - c. Madera County Health Officer Dr. Simon Paul continues to recommend measures to promote social distancing including the use of teleconferencing for public meetings.
2. The Madera LAFCO finds that as a result of the declared emergency resulting from COVID-19, meeting in person would present imminent risks to the health or safety of attendees of Commission meetings.
3. This Resolution shall be effective immediately.

//

//

\* \* \* \* \*

**The foregoing Resolution** was adopted on this 22nd day of February 2023, by the following vote:

Chair Poythress Voted: \_\_\_\_\_

Commissioner Young Voted: \_\_\_\_\_

Commissioner Ahmed Voted: \_\_\_\_\_

Commissioner Rodriguez Voted: \_\_\_\_\_

Commissioner Macauley Voted: \_\_\_\_\_

\_\_\_\_\_  
Chair, Local Agency Formation Commission

ATTEST:

\_\_\_\_\_  
David Braun  
Executive Officer, LAFCO

Approved as to Legal Form:

\_\_\_\_\_  
Laurie Avedisian-Favini  
Legal Counsel