



LOSSAN Rail Corridor Agency

Board Meeting

Agenda

Tuesday, September 13, 2022 at 8:30 a.m.

550 South Main Street, Orange, CA

SPECIAL MEETING

Board Members

Gregg Hart, SBCAG, Chairman
Jewel Edson, NCTD, Vice Chair
Caylin Frank, SDMTS
Bryan MacDonald, VCTC
Joe Mosca, SANDAG
Joe Muller, OCTA
Al Murray, OCTA
Dana Reed, RCTC
Fred Strong, SLOCOG
Jess Talamantes, Metro
Art Brown, SCAG, Ex-Officio
Jeanne Cantu, Amtrak, Ex-Officio
LaDonna DiCamillo, CHSRA, Ex-Officio
Kyle Gradinger, Caltrans, Ex-Officio

Agenda Descriptions

The agenda descriptions are intended to give members of the public a general summary of items of business to be transacted or discussed. The posting of the recommended actions does not indicate what action will be taken. The Board of Directors may take any action which it deems to be appropriate on the agenda item and is not limited in any way by the notice of the recommended action.

Public Availability of Agenda Materials

All documents relative to the items referenced in this agenda are available for public inspection at www.lossan.net or through the Los Angeles-San Diego-San Luis Obispo (LOSSAN) Clerk of the Board's office at: Orange County Transportation Authority Headquarters, 600 South Main Street, Orange, California.

Any person with a disability who requires a modification or accommodation to participate in this meeting should contact the LOSSAN Clerk of the Board, telephone (714) 560-5676, no less than two business days prior to this meeting to enable LOSSAN to make reasonable arrangements to assure accessibility to this meeting.



BOARD MEETING AGENDA

Guidance for Public Access to the Board of Directors/Committee Meeting

On September 16, 2021, Governor Gavin Newsom signed into law AB 361 authorizing a local legislative body to hold public meetings via teleconferencing and make public meetings accessible telephonically or electronically to all members of the public due to the state and local State of Emergency resulting from the threat of Novel Coronavirus (COVID-19).

Members of the public can listen to live audio streaming of the Board and Committee meetings by clicking the below link:

<http://www.octa.net/About-OCTA/Who-We-Are/Board-of-Directors/Live-and-Archived-Audio/>

Members of the public may address the Board of Directors regarding any item two ways:

Real-Time Comment

To provide a real time public comment during the meeting, please access the Zoom at:

<https://us02web.zoom.us/j/89300627765>

Dial-In: (669) 900 6833

Webinar ID: 893 0062 7765

Speakers will be recognized by the Chairman at the time the agenda item is to be considered. A speaker's comments shall be limited to three minutes. Anyone causing disruption can be removed from the meeting at the discretion of the Chair.

Written Comment

Written public comments may also be submitted by emailing them to lossanclerk@octa.net, and must be sent 90 minutes prior to the start time of the meeting. If you wish to comment on a specific agenda item, please identify the item number in your email. All public comments that are timely received will be part of the public record and distributed to the Board. Public comments will be made available to the public upon request.

Call to Order

Roll Call

Pledge of Allegiance - Director Echternach

Special Calendar

There are no Special Calendar Matters.



Consent Calendar (Item 1)

All items on the Consent Calendar are to be approved in one motion unless a Board Member or a member of the public requests separate action or discussion on a specific item.

1. **Ralph M. Brown Act Board of Directors Resolution for Teleconference Meetings**

Jason Jewell

Overview

The Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency holds regular meetings to effect business and act on measures related to its programs, projects, and services. In order to comply with new provisions related to the Ralph M. Brown Act, a resolution must be adopted.

Recommendation

Adopt Board of Directors Resolution 2022-L013.

Attachments:

[Staff Report](#)

[Attachment A](#)

Regular Calendar

There are no Regular Calendar matters.

Discussion Items

2. **Public Comments**
3. **Managing Director's Report**
4. **Board Members' Report**
5. **Closed Session**

There is no Closed Session scheduled.

6. **Adjournment**

The next regularly scheduled meeting of this Board will be held at 10:00 a.m. on Monday, October 17, 2022, at the Orange County Transportation Authority Headquarters, 550 South Main Street, Orange, California.



LOSSAN Rail Corridor Agency

550 South Main Street
Orange, California

9/13/2022

Ralph M. Brown Act Board of Directors Resolution for Teleconference Meetings

Overview

The Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency holds regular meetings to effect business and act on measures related to its programs, projects, and services. In order to comply with new provisions related to the Ralph M. Brown Act, a resolution must be adopted.

Recommendation

Adopt Board of Directors Resolution 2022-L013.



September 13, 2022

To: Members of the Board of Directors

From: Jason Jewell, Interim Managing Director

Subject: Ralph M. Brown Act Board of Directors Resolution for Teleconference Meetings

Overview

The Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency holds regular meetings to effect business and act on measures related to its programs, projects, and services. In order to comply with new provisions related to the Ralph M. Brown Act, a resolution must be adopted.

Recommendation

Adopt Board of Directors Resolution 2022-L013.

Discussion

AB 361 (Chapter 165, Statutes of 2021) was approved by the Legislature and signed by Governor Newsom on September 16, 2021. This legislation makes changes to the Ralph M. Brown Act to allow local legislative bodies to meet by teleconference during states of emergency. Under this legislation, if a legislative body wishes to conduct meetings virtually, it must make certain findings by resolution to meet by teleconference so long as there is a declared state of emergency. Board of Directors (Board) Resolution 2022-L013 (Attachment A), if adopted, would allow the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency Board and its committees to meet by teleconference for 30 days upon approval of this item.

Summary

A recommendation is made to adopt a resolution to allow the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency Board of Directors and its committees to meet via teleconference.

Attachment

A. Resolution No. 2022-L013

Prepared by:



Allison Cheshire
LOSSAN Clerk of the Board
(714) 560-5939

RESOLUTION NO. 2022-L013

A RESOLUTION OF THE LOS ANGELES – SAN DIEGO – SAN LUIS OBISPO RAIL CORRIDOR AGENCY BOARD OF DIRECTORS FINDING THAT, DUE TO THE PROCLAIMED STATE OF EMERGENCY ARISING FROM THE NOVEL CORONAVIRUS (COVID-19), MEETING IN PERSON PRESENTS IMMINENT RISKS TO THE HEALTH AND SAFETY OF ATTENDEES, AND THE EMERGENCY CONTINUES TO DIRECTLY IMPACT THE ABILITY OF THE MEMBERS TO MEET SAFELY IN PERSON.

WHEREAS, the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency’s (“Agency”) Board of Directors holds regular and special public meetings pursuant to the Ralph M. Brown Act (the “Brown Act”), Government Code section 54950, et seq.; and

WHEREAS, the Brown Act, as amended by AB 361 (Chapter 165, Statutes of 2021), permits the Agency to use teleconferencing for meetings of the Board of Directors without complying with specified teleconferencing requirements imposed by the Brown Act when the Agency’s Board of Directors holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, to continue to hold teleconferencing meetings during the proclaimed state of emergency, the Brown Act requires the Agency’s Board of Directors to make findings every thirty (30) days, by at least a majority vote, that the Board of Directors has reconsidered the circumstances of the state of emergency and determines that the state of emergency continues to directly impact the ability of the members to meet safely in person.

NOW, THEREFORE, BE IT RESOLVED, by a least a majority vote of the Agency’s Board of Directors, pursuant to Government Code section 54953, the Agency does hereby find and determine as follows:

Section 1. The above findings and recitals are true and correct and are incorporated herein in full by this reference.

Section 2. Governor Gavin Newsom has proclaimed a state of emergency due to the global pandemic caused by the novel coronavirus (COVID-19), which remains active as of the adoption of this Resolution.

Section 3. The Agency’s Board of Directors must continue to hold regular and special meetings, pursuant to the Brown Act, during the proclaimed state of emergency.

Section 4. As a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

Section 5. The Agency’s Board of Directors has reconsidered the circumstances of the state of emergency and determines that it continues to directly impact the ability of the members to meet safely in person.

Section 6. This Resolution shall take effect upon adoption.

PASSED, APPROVED, and ADOPTED on this _____ day of _____, 2022.

GREGG HART, CHAIRMAN
LOS ANGELES – SAN DIEGO –
SAN LUIS OBISPO RAIL CORRIDOR AGENCY

APPROVED AS TO FORM:

JAMES M. DONICH
GENERAL COUNSEL

ATTEST:

I, Allison Cheshire, Clerk of the Board, of the Directors of the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency, do hereby certify that the foregoing Resolution No. 2022-L013, by the following votes:

AYES:

NOES:

ABSENT:

ALLISON CHESHIRE
CLERK OF THE BOARD