

RESOLUTION NO.2026-0205

**RESOLUTION OF THE METRO WASTEWATER JOINT POWERS
AUTHORITY BOARD OF DIRECTORS AUTHORIZING OPTIONAL
TELECONFERENCING, REMOTE PARTICIPATION BY BOARD MEMBERS, AND
VIRTUAL MEETINGS OF COMMITTEES PURSUANT TO GOVERNMENT CODE
SECTIONS 54953.8.7 AND 54953.8.6 (SENATE BILL 707)**

WHEREAS, The Metro Wastewater Joint Powers Authority (“Metro”) is a joint powers authority formed pursuant to Government Code §§ 6500 *et seq.*; and

WHEREAS, the Ralph M. Brown Act (Government Code §§ 54950 *et seq.* or the “Brown Act”) requires that meetings of the legislative bodies of local agencies be open and public, and that members of the public be permitted to attend and participate, except as otherwise provided by law; and

WHEREAS, Senate Bill 707 (2025) added, among other sections, Government Code §§ 54953.8.6 and 54953.8.7 to the Brown Act, providing additional teleconferencing and remote participation authority for joint powers authorities and eligible subsidiary bodies, subject to specified conditions; and

WHEREAS, Government Code § 54953.8.7 authorizes an eligible multijurisdictional body – defined to include a joint powers authority – to permit individual members of its legislative body to participate remotely in meetings, provided the body adopts a resolution at a regular meeting in open session and complies with all statutory requirements; and

WHEREAS, Government Code § 54953.8.6 authorizes eligible subsidiary bodies to conduct meetings entirely by teleconference, without a quorum present at a physical meeting location, provided all statutory notice, agenda, access, and public participation requirements are met; and

WHEREAS, the Board of Directors desires to provide flexibility to its Board members and its committees by authorizing the optional use of teleconferencing and remote participation, while maintaining full compliance with the Brown Act; and

WHEREAS, the Board of Directors further desires to make clear that in-person meetings remain permissible and that neither the Board nor any committee is required to meet virtually, nor is any Board member required to participate remotely;

NOW, THEREFORE, BE IT RESOLVED:

1. Incorporation of Recitals

The Metro Board of Directors (“Board”) hereby finds that the foregoing recitals are true and correct and incorporates them herein by reference.

2. Authorization for Remote Participation by Board Members (Gov. Code § 54953.8.7)

Pursuant to Government Code § 54953.8.7, the Board hereby authorizes optional remote participation by individual Board members in meetings of the Board, provided that all applicable conditions and requirements of the Brown Act and Government Code § 54953.8.7 are satisfied.

Such conditions include, but are not limited to, agenda identification of remotely participating members, participation through both audio and visual technology, applicable distance requirements, quorum and public access requirements, and any annual limits on remote participation established by law.

3. Authorization for Virtual Meetings of Committees and Subsidiary Bodies (Gov. Code § 54953.8.6)

Pursuant to Government Code § 54953.8.6, the Board hereby authorizes optional virtual meetings of committees, advisory bodies, and other eligible subsidiary bodies of Metro, including meetings conducted entirely by teleconference, provided that all applicable requirements of the Brown Act and Government Code § 54953.8.6 are met.

Such meetings may be conducted without a physical meeting location, so long as proper notice is given and the public is provided real-time access and an opportunity to participate as required by law.

4. Findings Required Before Eligible Subsidiary Body Uses Teleconferencing

The Board hereby finds that:

- a. The Board has considered the circumstances of its eligible subsidiary body – here, the Finance Committee.
- b. Teleconference meetings of the eligible subsidiary body would enhance public access to meetings of the eligible subsidiary body, and the public has been made aware of the type of remote participation, including audio-visual or telephonic, that will be made available at a regularly scheduled meeting and has been provided the opportunity to comment at an in-person meeting of the legislative body authorizing the subsidiary body to meet entirely remotely.
- c. Teleconference meetings of the eligible subsidiary body would promote the attraction, retention, and diversity of eligible subsidiary body members.

5. Optional Nature of Teleconferencing and Remote Participation

This Resolution establishes an option, not a mandate. Nothing in this Resolution shall be construed to:

- a. Require the Board to conduct meetings by teleconference;

- b. Require any Board member to participate remotely;
- c. Require any committee or subsidiary body to meet virtually; or
- d. Limit the Board's authority to require in-person attendance or to adopt additional policies governing meeting formats.

6. Physical Public Access for Board Meetings

When the Board utilizes teleconferencing pursuant to Government Code § 54953.8.7, at least a quorum of Board members participating in the meeting shall do so from physical locations open to the public within Metro's territorial jurisdiction, as required by law.

7. Compliance with the Brown Act

All meetings conducted pursuant to this Resolution shall fully comply with the Brown Act, including Government Code §§ 54953.8, 54953.8.6, and 54953.8.7, and any other applicable provisions of state law.

8. Effective Date

This Resolution shall take effect immediately upon adoption.

IT IS SO RESOLVED. PASSED, APPROVED AND ADOPTED by the Board of Directors of the Metro Wastewater Joint Powers Authority at a meeting thereof held on the 5th day of February, 2026.

AYES: Preciado, Turvis, Worden, Kendrick, Cazares, Jones, Yamane, DeHoff, Robak, Clapp, Anderson

NOES: None

ABSTAIN: None

ABSENT: McKay



Jerry Jones, Chairman

ATTEST:



Lori Anne Peoples, Board Secretary