

**CITY OF GOLDEN VALLEY CHIEF LEGAL COUNSEL
DETERMINATION REGARDING CONDUCTING
MEETINGS BY TELEPHONE OR INTERACTIVE TECHNOLOGY**


As the Chief Legal Counsel of the City of Golden Valley, Minnesota (the "City"), I find as follows:

- A. As of January 15, 2021, the level of community transmission of COVID-19 in Minnesota is classified as high by the U.S. Centers for Disease Control and Prevention. Minnesota had 110.8 new cases per 10,000 people over the past seven days and preliminary reports from the County indicate this rate continues to rise. According to the Minnesota Department of Health, as of January 6, 2022, there have been 1,056,236 cases of COVID-19 in Minnesota resulting in 51,557 hospitalizations and 10,810 deaths, with 23 deaths reported since January 1, 2022. In Hennepin County, there have been 220,433 cases, 11,065 hospitalizations and 2,239 deaths. As of December 30, 2021, there were 3,228 reported COVID-19 cases in Golden Valley and 87 deaths.
- B. Since June 2021, the CDC identified new variants of the COVID-19 virus which are present in the United States and medical experts determined that some of these variants are significantly more contagious than previously known variants. The COVID-19 Delta variant has been determined by the CDC to be a "variant of concern" due to its high transmissibility and continues to account for a large number of new cases sequenced in Minnesota, thereby substantially increasing the potential risk of infection and the spread of the virus through the community. The COVID-19 Omicron variant, which has been identified in Minnesota, has been determined by the CDC to be a "variant of concern," appears to be easily transmitted, and accounts for 68% of the cases in Minnesota. Furthermore, as of December 5, 2021, 4.8% of fully vaccinated Minnesotans had experienced a breakthrough case of COVID-19.
- C. Minnesota Statutes, section 13D.021 authorizes cities to meet by telephone or interactive technology if it is determined that meeting in person is not practical or prudent because of a health pandemic.
- D. I consulted with the City's Mayor, City Council, City Manager, Emergency Management Director, and Hennepin County Public Health Authorities regarding the current status of COVID-19 in Minnesota and have found it is difficult or impossible for city officials, city staff, and the public to comply with public health guidance following a possible exposure, infection, or related matters and concerns while safely carrying out official duties and requirements.

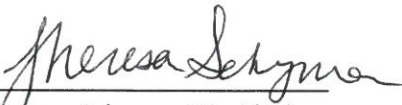
Based on the above findings, I determine as follows:

1. Due to the current global health COVID-19 pandemic and the conditions in Minnesota, complying with the provisions of Minnesota Statutes, Chapter 13D, threatens the health, safety, and welfare of City officials, City staff, and the public.
2. Due to the current global health COVID-19 pandemic and the conditions in Minnesota, it is not practical or prudent for the City Council, Housing and Redevelopment Authority, Planning Commission, Board of Zoning Appeals, Diversity, Equity and Inclusion Commission, Open Space and Recreation Commission, PEACE Commission, Environmental Commission, Human Services Commission, and any other commission, task force, committee, or subgroup appointed by the City Council or any of the aforementioned bodies ("City Commissions") to conduct in-person meetings.

3. At least one member of the City Commissions, the chief administrative officer, or the chief legal counsel will be present at the regular meeting location, unless unfeasible due to the global health COVID-19 pandemic.
4. Members of the public may be present at the regular meeting location, unless unfeasible due to the global health COVID-19 pandemic.
5. A member of the City Commissions that attends a meeting by telephone or interactive technology shall be considered "present" for purposes of City Code section 2-125.
6. All meetings of City Commissions shall comply with the requirements of Minnesota Statutes, section 13D.021.
7. Until further notice, all meetings of the City Council and City Commissions governed by Minnesota Statutes, Chapter 13D shall be conducted by telephone or interactive technology.



Maria Cisneros, City Attorney
HRA Attorney



Theresa Schyma, City Clerk