

RESOLUTION NO.

**RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA,
MAKING FINDINGS REQUIRING THE CONTINUED USE OF
TELECONFERENCING FOR MEETINGS OF ALL CITY OF RICHMOND
LEGISLATIVE BODIES PURSUANT TO THE PROVISIONS OF AB 361**

WHEREAS, in response to the COVID-19 pandemic, the Governor adopted a series of Executive Orders allowing the legislative bodies of local governments to meet remotely via teleconference through September 30, 2021, so long as other provisions of the Ralph M. Brown Act (“Brown Act”) were followed; and

WHEREAS, on September 16, 2021, the Governor signed into law as an urgency measure, AB 361 a bill that amends the Brown Act to allow local policy bodies to continue to meet by teleconferencing during a state of emergency without complying with restrictions in state law that would otherwise apply, provided that the policy bodies make certain findings at least once every 30 days; and

WHEREAS, on behalf of all legislative bodies of the City of Richmond that are subject to the Brown Act, the Richmond City Council has considered the current state of health guidance related to public meetings in Contra Costa County and finds it necessary to continue with remote meetings for the next 30 days to promote public health and safety; and

WHEREAS, the entire State of California remains under a proclaimed state of emergency as declared by the Governor of the state of California related to the COVID-19 pandemic; and

WHEREAS, the California Department of Public Health continues to require the use of face coverings in indoor settings in order to help stop the spread of the virus.

WHEREAS, the Health Officer for Contra Costa County published “Recommendations for Safely Holding Public Meetings” on September 20, 2021 that “strongly recommend” online meetings, and that local agencies should provide options for the public to participate without having to attend meetings in person, and that social distancing should be used for any in-person meetings, including six feet of spacing between all in attendance; and

WHEREAS, the City Council and all other legislative bodies of the City of Richmond have met remotely during the COVID-19 pandemic and can continue to do so in a manner that allows public participation and transparency while minimizing health risks to members, staff, and the public who would be present with in-person meetings while this emergency continues.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Richmond finds as follows:

1. As described above, the State of California, the County of Contra Costa and the City of Richmond remain in a state of emergency due to the COVID-19 pandemic. At this meeting the Richmond City Council has considered the circumstances of the state of emergency; and
2. As described above State and County officials continue to recommend measures to promote physical distancing and other social distancing measures, in some settings; and
3. As described above meetings of this body in person would present imminent risks to the safety of attendees, and the state of emergency continues to directly impact the ability of members to meet safely in public; and:

BE IT FURTHER RESOLVED That, based on the findings required by Government Code section 549539(e), as amended by AB 361, the City of Richmond requires the continued use of teleconferencing for the next 30 days for all public meetings of the Richmond City Council and all City of Richmond boards, commissions, committees and subcommittees subject to the Brown Act; and

BE IT FURTHER RESOLVED, That all City public meetings subject to the Brown Act conducted by teleconferencing technology shall provide an opportunity for members of the public to address the body and otherwise occur in a manner that protects all statutory and constitutional rights of the public attending the meeting via teleconferencing, and;

BE IT FURTHER RESOLVED That the City Clerk is directed to place a resolution substantially similar to this resolution on the agenda of a future meeting of the City Council within the next 30 days.

I certify that the foregoing resolution was passed and adopted by the City Council of the City of Richmond at a regular meeting thereof held October 18, 2022, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

Mayor

Approved as to form:

Interim City Attorney