



# AGENDA REPORT

City Clerk's Office

<b>DATE:</b>	December 20, 2022
<b>TO:</b>	Mayor Butt and Members of the City Council
<b>FROM:</b>	Pamela Christian, City Clerk
<b>Subject:</b>	Continued Use of Teleconferencing
<b>FINANCIAL IMPACT:</b>	There is no additional financial impact.
<b>PREVIOUS COUNCIL ACTION:</b>	December 21, 2021, January 18, 2022, February 15, 2022, March 15, 2022, April 19, 2022, June 21, 2022, July 19, 2022, August 19, 2022, September 19, 2022, October 18, 2022, November 15, 2022
<b>STATEMENT OF THE ISSUE:</b>	In order for the City Council to continue conducting virtual meetings and comply with the provisions of the Brown Act, it is necessary for the City Council to make findings verifying the need for the continuation of virtual meetings.
<b>RECOMMENDED ACTION:</b>	ADOPT a resolution requiring the continued use of teleconferencing for the meetings of all City legislative bodies pursuant to the provisions of Assembly Bill 361 – City Clerk's Office (Pamela Christian 510-620-6513).

## **DISCUSSION:**

### Background

Beginning in March of 2020, the Governor issued a series of Executive Orders relaxing certain provisions of the Brown Act in response to the COVID-19 pandemic. In short, those orders allowed local governments to conduct its meetings one hundred percent remotely, so long as members of the public still had the ability to view, listen and comment on items on the agenda. The most recent of these orders expired on September 30, 2021.

On September 16, 2021, the Governor signed into law AB 361, an urgency measure (meaning it became effective immediately) which largely continues the executive orders allowing for remote meetings. The Governor subsequently issued an order making the provisions of AB 361 effective beginning October 1, 2021.

### Analysis of Assembly Bill (AB) 361

AB 361 contains several requirements in order to continue the use of remote meetings. These include:

- There must be a state of emergency declared under the California Emergency Services Act. This effectively means the Governor must have declared the emergency.
- During the state of emergency, either state or local officials have imposed or recommended measures to promote social distancing, or that meeting in person would present an imminent risk to the health or safety of attendees.
- In order to continue to utilize remote meetings, the Council must reconsider the factors above every 30 days and adopt specified findings that the fact relied upon still exist.

As the attached resolution spells out, the State of California is still under an emergency declaration regarding COVID-19, state health officials continue to recommend social distancing to help stop the spread of the virus. The resolution applies to all of the City's legislative bodies (as defined by the Brown Act) and will remain in effect for the next 30 days. The City will continue to update the findings every 30 days, in compliance with AB 361.

## **DOCUMENTS ATTACHED:**

Attachment 1- Resolution requiring the continued use of teleconferencing for the meetings of all City legislative bodies pursuant to the provisions of AB 361