



AGENDA REPORT

City Clerk's Office

DATE:	March 15, 2022
TO:	Mayor Butt and Members of the City Council
FROM:	Pamela Christian, City Clerk
Subject:	Continued use of teleconference technology for meetings of the Board of Commissioners of the Richmond Housing Authority pursuant to the provisions of AB 361
FINANCIAL IMPACT:	There will be no fiscal impact associated with this action.
PREVIOUS COUNCIL ACTION:	December 21, 2021, January 18, 2022, February 15, 2022
STATEMENT OF THE ISSUE:	In order for the Board of Commissioners of the Richmond Housing Authority to continue conducting virtual meetings and comply with the provisions of the Brown Act it is necessary for the Board of Commissioners of the Richmond Housing Authority to make findings verifying the need for the continuation of virtual meetings.
RECOMMENDED ACTION:	ADOPT a resolution requiring the continued use of teleconferencing for the meetings of the Board of Commissioners of the Richmond Housing Authority pursuant to the provisions of AB 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 their meetings 100% 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, and both state and local health officials continue to recommend social distancing to help stop the spread of the virus. The resolution requires that all meetings of the Board of Commissioners of the Richmond Housing Authority will be held using teleconferencing technology. The Board of Commissioners of the Richmond Housing Authority 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 the Board of Commissioners of the Richmond Housing Authority pursuant to the provisions of AB 361