



## Legislation Details (With Text)

<b>File #:</b>	23-17	<b>Name:</b>	
<b>Type:</b>	Staff Report	<b>Status:</b>	Consent Calendar
<b>File created:</b>	1/5/2023	<b>In control:</b>	City Council
<b>On agenda:</b>	1/11/2023	<b>Final action:</b>	
<b>Title:</b>	Report regarding a resolution to continue conducting City Council and advisory body meetings remotely due to health and safety concerns for the public and making related findings. (Sky Woodruff, City Attorney)		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>			

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

..Title

Report regarding a resolution to continue conducting City Council and advisory body meetings remotely due to health and safety concerns for the public and making related findings. (Sky Woodruff, City Attorney)

### **RECOMMENDATION**

**Staff recommends that the City Council adopt a resolution to continue allowing the City Council and advisory bodies to conduct meetings remotely due to health and safety concerns for the public and making related findings in compliance with AB 361 (2021).**

### **BACKGROUND/DISCUSSION**

Adopted and signed into law on September 16, 2021, Assembly Bill 361 (AB 361) permits local legislative bodies to meet remotely during a declared state of emergency by complying with certain statutory requirements and making certain findings relating to the ability to meet safely in person. After an initial remote meeting utilizing the provisions of AB 361, to continue teleconference meetings the City Council will be required to reconsider the circumstances of the emergency every 30 days that the City's legislative bodies need to be able to continue to meet remotely to ensure the health and safety of the public.

On September 21, 2021, the City Council adopted an initial Resolution No. 166-2021 making findings and declaring the need for the Council and advisory bodies to continue meeting remotely to ensure the health and safety of the public and authorizing remote teleconference meetings pursuant to Government Code section 54953(e). Since the adoption of those resolutions, the City Council has utilized a hybrid in-person/teleconference meeting model. During this time, the Delta and Omicron variants have surged to be a significant risk and caused case spikes throughout the state. The City has continued to review and has adopted subsequent resolutions to reconsider the public health emergency circumstances and made additional findings required by AB 361. State and local governments have continued to monitor and respond to the trends impacting public health circumstances.

The San Mateo County Health Department and the State continues to recommend indoor masking, especially

for gatherings that include the elderly, immunocompromised, or people who are not vaccinated. The Centers for Disease Control and Prevention (“CDC”) continues to recommend physical distancing of at least six feet (6’) from others outside of the household.

The Council is being asked to review the prior AB 361 findings to continue teleconference meetings under AB 361 for the City’s legislative bodies. Staff recommends that the City Council adopt a resolution to declare these findings remain true so that these bodies can continue to meet remotely.

#### RELATIONSHIP TO THE STRATEGIC PLAN

Continued use of teleconference meetings will promote community participation, contributing to the City’s Strategic Plan Priority No. 6 - Community Connections.

#### FISCAL IMPACT

There is no fiscal impact.

#### CONCLUSION

Staff recommends that the City Council adopt a resolution to continue conducting the City’s legislative body meetings remotely due to health and safety concerns for the public and making related findings in compliance with AB 361 (2021).