



## CITY OF GLENDALE, CALIFORNIA REPORT TO THE CITY COUNCIL

### AGENDA ITEM

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Report: Consideration of a Resolution to allow the City Council and all City legislative bodies to continue to meet remotely pursuant to the Brown Act as amended by A.B. 361.

1. Resolution authorizing the continuance of remote teleconference meetings of the City's legislative bodies for a period of an additional 30 days in accordance with A.B. 361.

### COUNCIL ACTION

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**Item Type:** Consent Item

**Approved for** November 16, 2021 **calendar**

### EXECUTIVE SUMMARY

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The Governor recently signed A.B. 361 which permits continued remote teleconference meetings during a declared state of emergency, provided the local agency makes specified findings and adheres to the procedural safeguards specified in the law. On October 19, 2021, the Council adopted a resolution to allow continued remote meetings under A.B. 361 for a period of 30 days. A resolution is presented for Council consideration to authorize continued remote teleconference meetings for an additional 30 days.

### COUNCIL PRIORITIES

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- Informed and Engaged Community – Allowing continued remote teleconference meetings of the City's legislative bodies, including live public participation, during the current state of emergency helps to ensure an informed and engaged community.
- Safe & Health Community – Allowing continued remote teleconference meetings of the City's legislative bodies promotes social distancing recommended by local health authorities during the pandemic.

### RECOMMENDATION

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That the City Council adopt a resolution allowing continued remote teleconference meetings of the City's legislative bodies, including live public participation, in accordance with A.B. 361.

## **BACKGROUND**

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Since March of 2020, because of the COVID-19 pandemic, the City Council and all boards and commissions have been meeting remotely pursuant to the Governor's Executive Order N-29-20, which suspended certain teleconference meeting requirements of the Brown Act. On June 11, 2021, the Governor issued Executive Order N-08-21, which rescinds these suspensions effective September 30, 2021. In recognition of the fact that the pandemic is ongoing, on September 16, 2021, the Governor signed AB 361, which amends the Brown Act and authorizes teleconferenced public meetings at remote locations under a state of emergency declared by the Governor under the Emergency Services Act. The Council adopted Resolution No. 21-167 on October 19, 2021, allowing remote teleconference meetings under A.B. 361 for a period of 30 days.

## **ANALYSIS**

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AB 361 allows local agencies to continue having remote teleconference meetings when the Governor has declared a state of emergency, if the local agency can make certain findings and complies with several procedural safeguards to protect public participation during a remote meeting. The public must have the ability to address the legislative body directly, and must be given information on how to address the body. The public must be provided either a call-in or internet-based service option. The body must stop the meeting if the call-in or internet-based option fails. The legislative body cannot require that public comments be submitted in advance (although this can be provided as an option). Speakers cannot be required to pre-register (except as required by an independent call-in or internet platform). Members of the public must be given a reasonable time to register to provide public comment.

Accordingly, the Council adopted Resolution No. 21-167 on October 19, 2021 to authorize the Council and all boards, commissions, and committees, including ad hoc committees subject to the Brown Act, to be able to meet remotely during the current declared state of emergency for a period of 30 days. In adopting the resolution, the Council found that state or local health measures continue to promote social distancing by state or local officials. To continue remote teleconference meetings, the Council must confirm the circumstances of the state of emergency and make the required findings every 30 days. A proposed resolution is presented for Council consideration.

## **STAKEHOLDERS/OUTREACH**

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Not applicable.

## **FISCAL IMPACT**

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There is no fiscal impact associated with this report.

## **ENVIRONMENTAL REVIEW**

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This item is exempt from CEQA. It is not a project and there is no reasonable likelihood that compliance with AB 361 will result in any significant impacts to the environment.

## **CAMPAIGN DISCLOSURE**

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This item is exempt from campaign disclosure requirements.

## **ALTERNATIVES**

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1. Adopt the Resolution so that the Council and the City's boards and commissions can continue to hold remote teleconference meetings, consistent with AB 361.
2. Choose not to adopt the Resolution but the Council and City boards and commissions would have to return to in-person meetings commencing on November 18, 2021.
3. Select an alternative not identified by staff.

## **ADMINISTRATIVE ACTION**

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**Prepared by:**

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**Reviewed by:**

Michele Flynn, Director of Finance

Michael J. Garcia, City Attorney

**Approved by:**

Roubik R. Golanian, P.E., City Manager

## **EXHIBITS / ATTACHMENTS**

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None.