

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda Date: May 16, 2022
Reviewed by: NA

SUBJECT: Resolution of the Albany City Council Allowing for Video and Teleconference Meetings during the COVID-19 State of Emergency under California Assembly Bill (AB 361)

REPORT BY: Anne Hsu, City Clerk

STAFF RECOMMENDATION

That the Council adopt Resolution No. 2022-42, allowing for video and teleconference meetings during the COVID-19 state of emergency under AB 361.

BACKGROUND/DISCUSSION

AB 361 was recently passed by the State Legislature and signed by Governor Newsom and went into effect immediately. AB 361 continues many of the provisions related to the Brown Act that were in place under Executive Orders, which expired September 30, 2021 that allowed for video and teleconferencing during the state of emergency. Since AB 361 has been signed into law, the City Council can continue to meet virtually until such time as the Governor declares the state of emergency due to COVID-19 over and measures to promote social distancing are no longer recommended, or could return to in-person meetings sooner, if desired.

State and local officials continue to recommend social distancing measures for safely holding public meetings based on the continued threat of COVID-19 to the community and the continued increased safety protection that social distancing provides as one method to reduce the risk of COVID-19 transmission. The proposed resolution provides that the City Council and all subsidiary City advisory bodies with the option to continue to hold video and teleconference meetings while the state of emergency is still in effect and social distancing is recommended.

In order to continue to hold video and teleconference meetings, the City Council will need to review and make findings every thirty days that the state of emergency continues to directly impact the ability of the members to meet safely in person and that state or local officials continue to impose or recommend measures to promote social distancing.

FINANCIAL CONSIDERATIONS

None.

Attachments

1. Resolution No. 2022-42

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RESOLUTION NO. 2022-42

**A RESOLUTION OF THE ALBANY CITY COUNCIL ALLOWING
FOR VIDEO AND TELECONFERENCE MEETINGS DURING
THE COVID-19 STATE OF EMERGENCY UNDER AB 361**

WHEREAS, on March 4, 2020, the Governor of the State of California proclaimed a state of emergency for COVID-19; and

WHEREAS, AB 361 was recently passed by the State Legislature and signed by Governor Newsom and went into effect immediately and allows the City Council to continue to meet virtually until such time as the Governor declares the state of emergency due to COVID-19 over and measures to promote social distancing are no longer recommended; and

WHEREAS, state and local officials continue to recommend social distancing measures for safely holding public meetings based on the continued threat of COVID-19 to the community and the continued increased safety protection that social distancing provides as one method to reduce the risk of COVID-19 transmission; and

WHEREAS, in light of this recommendation, the City Council desires for itself and for all other City legislative bodies that are subject to the Brown Act to continue to meet via video and/or teleconference; and

WHEREAS, pursuant to AB 361, the City Council will review the findings required to be made every 30 days.

NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby resolve and find on behalf of itself and all other City legislative bodies: (1) a state of emergency has been proclaimed by the Governor; (2) the state of emergency continues to directly impact the ability of the City Council and the City Council's legislative bodies to meet safely in person; and (3) state and local officials continue to recommend measures to promote social distancing.

PRESTON JORDAN, MAYOR