

Capitola City Council

Agenda Report



Meeting: June 9, 2022

From: City Manager Department

Subject: Establish Timeline for Returning to In-Person City Council Meetings

Recommended Action: Establish date for City Council (along with the Planning Commission and all advisory bodies) to hold in person meetings with remote attendance options for members of the public.

Background: On March 4, 2020, Governor Newsom declared a state of emergency due to the spread of COVID-19. On March 12, 2020, City Council adopted a resolution declaring a state of emergency in the City of Capitola. For much of the pandemic, and in compliance with Executive Order N-29-20, which waived certain requirements of the Brown Act, public agencies were allowed to conduct public meetings by teleconference. Executive Order N-29-20 expired on September 30, 2021.

In September 2021, Assembly Bill 361 was approved by the Governor. The Bill amends the Brown Act to allow cities to hold virtual meetings if the state is under a proclaimed state of emergency (as Capitola City Council meetings currently function), and the city has made certain findings. The Bill sunsets in 2024 and is not tied to COVID-19, but instead allows for virtual meetings in the instance of any Governor-declared state of emergency. The Bill requires legislative bodies to comply with the requirements set forth in Government Code section 54953(e)(2) to ensure the public can safely participate and observe local government meetings. As of June 3, 2022, the Governor's emergency declaration remains in place.

On the Consent agenda this evening, Council adopted a resolution in compliance with Assembly Bill 361, allowing for City Council (and Planning Commission and all advisory bodies) to conduct teleconferencing meetings for the next 30 days.

In early Spring 2022 and due to the then lower COVID case numbers in the County, State, and generally across the country, Council expressed interest in discussing when Council (and advisory bodies) should return to conducting in-person meetings. Council provided feedback on this topic on March 24 and asked that staff move forward in planning for hybrid meetings, with members of the public able to attend both in-person and virtually.

Since spring, BA.2.12.1, a subvariant of omicron, has contributed to another surge of COVID infections, both nationally and locally. As of May 26, the New York Times reports that "the United States... is averaging a roughly 30 percent increase over the last two weeks".

As of June 3, City of Capitola City Council meetings continue to be held virtually (in compliance with AB 361). The Watsonville City Council is meeting in-person, and the meetings of Scotts Valley and Santa Cruz City Councils remain virtual and are only accessible remotely.

Discussion: On March 24, 2022, Council provided feedback regarding returning to in-person City Council meetings. In summary, Council decided that returning to in-person meetings should coincide with the ability to offer professional hybrid options so that members of the public can continue to attend meetings virtually if they so choose. Since that meeting, Staff researched, determined, and ordered the necessary equipment to facilitate hybrid meetings. The equipment vendor believes the final piece of required equipment will be received by June 9. The installation

and configuration of the system should begin around June 15 and will take about a week-and-a-half; hopefully the work will be completed by June 24. Based on this, staff recommends City Council set a date to return to in-person meetings after July 1. The regularly scheduled Council meetings this summer occur on July 28, August 25, and September 8.

When Council does return for hybrid meetings, the public will be notified in advance that in-person attendance is welcome with information on the published meeting agenda as well as on the City website.

Fiscal Impact: The 2021-22 fiscal impact is approximately \$25,000 to purchase and install equipment needed to hold high-quality hybrid meetings and was included in the amended budget in the restricted Public, Education, and Government account.

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