



STAFF REPORT
March 8, 2023

TO: Honorable Mayor and City Council Members

FROM: Dr. Gabriel Martin, City Manager,
Best Best & Krieger LLP, City Attorney

SUBJECT: City Council's Direction on Public's Continued Participation During Meetings Via Zoom for Purposes of Public Comment and Presentations in light of End to COVID-19 State of Emergency

SUMMARY

With Governor Gavin Newsom ending California's COVID-19 State of Emergency last month, the City Council must provide direction on what options the public will continue to have, if any, to participate in City Council meetings via Zoom for the purposes of public comment and conducting presentations.

This agenda item provides the City Council with an opportunity to discuss the options it will continue to make available to the public and provide direction to both City Staff and the City Attorney on what the new policy will be moving forward.

STAFF RECOMMENDATION:

Staff recommends that the City Council discuss and determine what options it will continue to make available to the public for participation in City Council meetings via Zoom and provide direction to both City Staff and the City Attorney.

BACKGROUND/ANALYSIS:

In March 2020, Governor Gavin Newsom issued Executive Order No. N-29-20, which suspended portions of the Brown Act that traditionally limited the use of teleconferencing for public meetings. In light of this Executive Order, the vast majority of cities and public agencies around the State provided the public with opportunities to participate in public meetings via Zoom to address the local legislative body or public agency. Despite this ability to participate in meetings virtually however, the Executive Order was clear that the relaxing of these Brown Act requirements were to "sunset" or end when either the pandemic or State of Emergency ended.

On October 17, 2022, Governor Newsom announced that the State's COVID-19 State of Emergency would officially end on February 28, 2023. Consequently, the City Council must now determine whether the public may continue to participate during meetings via

Zoom for the purposes of public comment and presentations, and provide direction on the new policy moving forward. Should the Council require more information on the topic to help make its determination, attached to this Staff Report is a Memorandum by the City Attorney regarding the options for conducting virtual or “hybrid” meetings following the expiration of legislation relaxing the Brown Act teleconferencing rules.

ENVIRONMENTAL ASSESSMENT:

This action is not subject to environmental review under the California Environmental Quality Act (CEQA).

FISCAL IMPACT

None.

ATTACHMENT:

Memorandum from City Attorney regarding options for conducting virtual or “hybrid” meetings following the expiration of legislation relaxing the Brown Act teleconferencing rules.