

Resolution No. 590

A RESOLUTION OF THE CITY COUNCIL OF AMADOR CITY TO IMPLEMENT ASSEMBLY BILL 361, WHICH ALLOWS CITIES TO CONTINUE TO MEET REMOTELY FOR THE DURATION OF THE PROCLAIMED STATE OF EMERGENCY UNDER MODIFIED BROWN ACT REQUIREMENTS

Whereas, on June 11, 2021, the Governor signed Executive Order N-08-21, which among other things rescinded his prior Executive Order N-29-20, effective October 1, 2021, which order suspended certain restrictions of the Brown Act concerning teleconferencing;

Whereas, on September 16, 2021, the state legislature passed Assembly Bill 361 which amended the Brown Act with respect to holding remote public meetings via teleconference which amendments are now codified in the Brown Act.

Whereas, the Brown Act, Government Code section 54953(e), now makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions;

Whereas, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

Whereas, on March 4, 2020, the Governor proclaimed pursuant to his authority under the California Government Code section 8625, that a state of emergency exists with regard to a novel coronavirus (a disease now known as COVID-19);

Whereas, as of the date of this Resolution, neither the Governor nor the Legislature have exercised their respective powers pursuant to California Government Code section 8629 to lift the state of emergency either by proclamation or by concurrent resolution in the state Legislature;

Whereas, the continued local rates of transmission of the virus and variants causing COVID-19 are such that meeting in person could present imminent risks to the health or safety of attendees of the meetings of the City Council of Amador City, which providing an option for or holding meetings remotely may mitigate;

Whereas, Public participation at City Council Meetings is improved by providing a remote option for attendance, particularly where attendees are able to participate in a format in which they are safest.

NOW THEREFORE, BE IT RESOLVED:

(1) A proclaimed state of emergency exists due to COVID-19 and as a result of the emergency, meeting in person could present imminent risks to the health or safety of attendees.

(2) Both Regular and Special City Council meetings will continue to offer both in-person and remote options (a.k.a. hybrid) for Council Members and members of the Public in compliance with AB 361 for the duration of the proclaimed state of emergency;

(3) Should the pandemic or other state of emergency worsen to the point where in-person meetings are no longer safe, as described by the Amador County Department of Public Health, California Department of Public Health, and/or the Centers for Disease Control, both Regular and Special City Council Meetings will be held with the remote-only option;

(4) The City Clerk is hereby instructed to provide either notice of the hybrid meeting or remote-only meeting, including Zoom (or other) links, published with each meeting's agenda.

(5) This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of thirty (30) days from adoption of the Resolution or such time as the City Council adopts a subsequent Resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the City Council may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

Duly passed this 19th day of October, 2021, at a regular meeting of the City Council of Amador City by the following vote:

AYES: Kel-Artenian, Bragstad, Robinson, Smith

NOES: 0

ABSENT: Mark

ABSTAIN: 0



Hon. Mayor Anne Kel-Artenian
Amador City, California

Attested: Joyce Davidson
Joyce Davidson
City Clerk
Amador City, California