2000 Main Street,
Huntington Beach, CA
92648

City of Huntington Beach

File #: 22-238 **MEETING DATE:** 9/20/2022

REQUEST FOR CITY COUNCIL ACTION

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Robin Estanislau, CMC, City Clerk

PREPARED BY: Robin Estanislau, CMC, City Clerk

Subject:

Reaffirm adoption of Resolution No. 2021-62 finding a proclaimed state of emergency continues to impact the ability to meet safely in person, and allows meetings of the City Council and all City boards, commissions and committees to be conducted remotely as needed in compliance with new Brown Act provisions identified in Assembly Bill 361

Statement of Issue:

On September 16, 2021, Governor Newsom approved Assembly Bill 361 (Rivas) that amends the Ralph M. Brown Act to include a new authorization that allows all local agencies to host remote meetings and remote public comments. The authorization, which largely extends the provisions of the Governor's Executive Order N-29-20 (approved March 17, 2020) and Executive Order N-35-20 (approved March 21, 2020), is in effect until January 1, 2024. To comply with the new provisions identified in AB 361, the City Council adopted Resolution No. 2021-62 finding a proclaimed state of emergency continues to impact the ability to meet safely in person, and allows meetings of the City Council and all City boards, commissions and committees to be conducted remotely as needed due to health and safety concerns for the public.

Financial Impact:

Not applicable.

Recommended Action:

Reaffirm Resolution No. 2021-62, "A Resolution of the City Council of the City of Huntington Beach, California, Finding that the Proclaimed State of Emergency Continues to Impact the Ability to Meet Safely in Person."

Alternative Action(s):

Do not reaffirm Resolution No. 2021-62 and direct staff accordingly.

Analysis:

A provision of Assembly Bill 361 requires local agencies to verify **every 30 days** that the exemption from traditional teleconference requirements is still necessary. Specifically, the legislative body must

make findings no later than 30 days after the first teleconference and every 30 days thereafter that:

- The legislative body has reconsidered the state of emergency circumstances; and
- Either i) the state of emergency continues to directly impact the ability of the members to meet safely in person, or ii) state or local officials continue to impose or recommend measures to promote social distancing.

If necessary, the City will continue to make appropriate findings at least every 30 days to ensure compliance with this verification requirement of Assembly Bill 361 until its sunset date of January 1, 2024.

Environmental Status:
Not applicable.

Strategic Plan Goal:
Non Applicable - Administrative Item

Attachment(s):

1. Resolution No. 2021-62
2. Assembly Bill 361