

## RESOLUTION NO 16118

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY DECLARING THE CONTINUED STATE OF LOCAL EMERGENCY AND NEED FOR THE CITY COUNCIL AND OTHER CITY LEGISLATIVE BODIES SUBJECT TO THE RALPH M. BROWN ACT TO HOLD HYBRID OR VIRTUAL MEETINGS IN ORDER TO ENSURE THE HEALTH AND SAFETY OF THE PUBLIC**

**WHEREAS**, on March 4, 2020, the Governor of the State of California (“Governor”) proclaimed a State of Emergency pursuant to Government Code Section 8265 due to the COVID-19 pandemic, which State of Emergency remains in effect as of the date of this Resolution, as do the existence of conditions of extreme peril to the safety of persons within the state under which the proclamation was issued; and

**WHEREAS**, on March 16, 2020, the City Council adopted Resolution No. 15827 declaring a local emergency due to COVID-19, which local emergency remains in effect as of the date of this Resolution, as do the facts, circumstances, and emergency under which the declaration was issued; and

**WHEREAS**, on March 17, 2020, in response to the COVID-19 pandemic, the Governor issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other electronic means; and

**WHEREAS**, on June 11, 2021, the Governor issued Executive Order N-08-21, which terminated Executive Order N-29-20’s suspension of those Ralph M. Brown Act provisions related to teleconferencing on September 30, 2021; and

**WHEREAS**, the City, including its City Council and all other City legislative bodies subject to the Ralph M. Brown Act (“Brown Act Bodies”) has held meetings using teleconferencing and virtual meeting technology in an effort to help protect City officials, the public and City staff from COVID-19; and

**WHEREAS**, the mask mandate continues to be in effect for all persons, regardless of vaccination status, in certain indoor settings, including but not limited to, healthcare settings, emergency shelters, State and local correctional facilities and detention centers, homeless shelters and long term care facilities; and

**WHEREAS**, the County and State continue to strongly recommend use of masks as a preventative measure against the spread of COVID-19 for all persons, regardless of vaccination status; and

**WHEREAS**, on September 16, 2021, the Governor signed AB 361 into law as an urgency measure that went into effect immediately; and

**WHEREAS**, AB 361 authorizes local legislative bodies to continue to conduct meetings using teleconferencing without complying with the Ralph M. Brown Act's standard teleconferencing requirements if certain conditions are met; and

**WHEREAS**, AB 361 requires local findings that meeting in person would present an imminent risk to the health and safety of attendees and state or local officials have imposed or recommended measures to promote social distancing; and

**WHEREAS**, on October 11, 2021, the City Council adopted Resolution No. 15991 declaring the continued state of local emergency caused by the COVID-19 pandemic and making findings on the need for the City Council and other Brown Act Bodies to continue to teleconference in order to ensure the health and safety of the public; and

**WHEREAS**, on October 25, 2021, November 22, 2021, December 20, 2021, January 10, 2022, January 24 2022, February 14, 2022, March 7, 2022 June 27, 2022, July 25, 2022, August 22, 2022, September 12, 2022, October 3, 2022, October 24, 2022, November 14, 2022, December 12, 2022, and January 9, 2023 the City Council adopted Resolution Nos. 15995, 16005, 16013, 16022, 16023, 16032, 16055, 16069, 16072, 16077, 16085, 16087, 16096, 16109, and 16114, respectively, declaring the continued state of local emergency and affirming the findings on the need for the City Council and other City legislative bodies subject to the Ralph M. Brown Act to hold teleconference meeting as authorized by AB 361 to preserve public health and safety; and

**WHEREAS**, on April 11, 2022, in light of a decline in COVID-19 cases, the City Council and other City legislative bodies subject to the Ralph M. Brown Act returned to in-person meetings; and

**WHEREAS**, in recent months, the region experienced yet another surge in Covid-19 cases, including case transmission, test positivity and hospitalization, causing concern for public health and safety; and

**WHEREAS**, as of January 11, 2023, the Centers for Disease Control (CDC) has identified San Mateo County as continuing to experience COVID-19 transmission and positive tests in the community. The County has been re-categorized from the "medium" to "low" category for COVID-19 community levels, but the CDC continues to recommend a variety of preventative measures for community members to avoid COVID-19 infection; and

**WHEREAS**, as winter has historically been associated with increased cases of COVID-19, and as San Mateo County continues to experience COVID-19 transmission, the City Council desires to continue conducting public meetings of its Brown Act Bodies using teleconferencing as authorized by AB 361 to hold hybrid or virtual meetings.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDWOOD CITY RESOLVES AS FOLLOWS:**

1. The City Council hereby finds and determines that the foregoing recitals are true and correct; the recitals are hereby incorporated by reference into each of the findings as though fully set forth therein.

2. The City Council has reviewed the need for continuing the local emergency as identified in Resolution No. 15827 and finds that such proclamation remains in effect as of the date of this Resolution, as do the facts, circumstances, and emergency under which they were issued, and finds that there is a need for continuing the local emergency.

3. In compliance with AB 361, the City Council makes the following findings:

- a. The City Council has reconsidered the circumstances of the state of emergency, and the state of emergency remains active; and
- b. The state of emergency continues to directly impact the ability of the City's Brown Act Bodies, as well as staff and members of the public, to meet safely in in-person only meetings without a virtual option.
- c. State or local officials continue to impose or recommend measures to promote social distancing.

4. Meetings of the City's Brown Act Bodies will be conducted in a hybrid or virtual manner via teleconference, pursuant to AB 361.

5. The City Council and the City's Brown Act Bodies will comply with the requirements to provide the public with access to the meetings as prescribed in Government Code § 54953(e)(2).

6. This Resolution will be effective upon adoption.

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Passed and adopted by the Council of the City of Redwood City at a  
Joint City Council/Successor Agency Board/Public Financing Authority Meeting  
thereof held on the 23rd day of January 2023 by the following votes:

AYES:	Aguirre, Eakin, Howard, Martinez Saballos, Sturken, Espinoza-Garnica and Mayor Gee
NOES:	None
ABSENT:	None
ABSTAINED:	None
RECUSED:	None



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Jeff Gee  
Mayor of the City of Redwood City

Attest:



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Pamela Aguilar, CMC  
City Clerk of Redwood City

I hereby approve the foregoing resolution this  
24<sup>th</sup> day of January 2023.



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Jeff Gee  
Mayor of the City of Redwood City