



# City of Costa Mesa

## Agenda Report

77 Fair Drive  
Costa Mesa, CA 92626

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**File #:** 21-545

**Meeting Date:** 1/18/2022

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**TITLE:**

ADOPTION OF A RESOLUTION TO CONTINUE CONDUCTING MEETINGS OF THE CITY COUNCIL, COMMISSIONS AND COMMITTEES REMOTELY AS NEEDED DUE TO HEALTH AND SAFETY CONCERNS FOR THE PUBLIC

**DEPARTMENT:** CITY MANAGER'S OFFICE/CITY CLERK DIVISION

**PRESENTED BY:** BRENDA GREEN

**CONTACT INFORMATION:** BRENDA GREEN, (714) 754-5221

**RECOMMENDATION:**

Staff recommends the City Council adopt Resolution 2021-xx to allow the City to continue conducting City Council, Commission, and Committee meetings remotely as needed via Zoom due to:

- The current State of Emergency and global pandemic, which continues to directly impact the ability of the members of the City's legislative bodies to meet safely in person; and
- Federal, State and/or local officials continue to impose or recommend measures to promote social distancing.

**BACKGROUND:**

Pursuant to AB 361, the City Council will need to declare every 30 days that the City's legislative bodies continue to meet remotely as needed in order to ensure the health and safety of the public.

On September 17, 2021 the Governor signed into law AB 361 which allows local legislative bodies to continue to meet remotely after the October 1, 2021 deadline. A local agency will be allowed to continue to meet remotely when:

- The local agency holds a meeting during a declared state of emergency;
- State or local health officials have imposed or recommended measures to promote social distancing; and
- Legislative bodies declare the need to meet remotely due to present risks to the health or safety of attendees.

**ANALYSIS:**

The City meets the requirements of AB 361 to continue holding meetings remotely in order to ensure the health and safety of the public and its employees. Both the California Department of Public Health and the County of Orange Public Health Officer have issued recommendations that members of vulnerable populations (such as older adults and those persons with an elevated risk due to certain

medical conditions) continue to practice social distancing. The City cannot ensure social distancing requirements are always met inside the Council Chambers and/or Conference Rooms where the City Council, Commissions, and Committees meet, making it difficult for members of these bodies, City staff, and members of the public to consistently socially distance from each other with absolute certainty.

Staff recommends that the City Council adopt the proposed resolution making the required findings that the City Council, Commission and Committee meetings can continue to meet remotely as needed pursuant to the requirements of AB 361.

**ALTERNATIVES:**

City Council may choose to not hold City Council, Commission and Committee meetings remotely via Zoom. The City would then be required to hold all public meetings in-person.

**FISCAL REVIEW:**

There is no fiscal impact associated with this item.

**LEGAL REVIEW:**

The City Attorney's Office has reviewed this agenda report, has prepared the proposed Resolution, and approves them as to form.

**CITY COUNCIL GOALS AND PRIORITIES:**

This item supports the following City Council Goal:

- Strengthen the Public's Safety and Improve the Quality of Life.

**CONCLUSION:**

Staff recommends the City Council adopt Resolution 2021-xx to allow the City to continue conducting City Council, Commission, and Committee meetings remotely as needed via Zoom due to:

- The current State of Emergency and global pandemic, which continues to directly impact the ability of the members of the City's legislative bodies to meet safely in person; and
- Federal, State and/or local officials continue to impose or recommend measures to promote social distancing.