



*CITY of CALABASAS*

CITY COUNCIL AGENDA REPORT

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**DATE:** SEPTEMBER 29, 2021

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS

**FROM:** KINDON MEIK, CITY MANAGER  
MATTHEW T. SUMMERS, CITY ATTORNEY

**BY:** MARICELA HERNANDEZ, MMC, CPMC, CITY CLERK

**SUBJECT:** ADOPTION OF RESOLUTION 2021-1751, AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE CALABASAS CITY COUNCIL AND CITY COMMISSIONS PURSUANT TO GOVERNMENT CODE SECTION 54953(e) AND PROVIDE DIRECTION ON WHEN TO BEGIN HOLDING HYBRID CITY COUNCIL/COMMISSION MEETINGS ENABLING MEMBERS OF THE CITY COUNCIL, COMMISSIONERS AND THE PUBLIC TO PARTICIPATE REMOTELY OR IN-PERSON

**MEETING**  
**DATE:** OCTOBER 13, 2021

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**SUMMARY RECOMMENDATION:**

Staff recommends the City Council adopt Resolution No. 2021-1751, authorizing remote teleconference meetings of the Calabasas City Council and City Commissions pursuant to Government Code Section 54953(e) and provide direction on when to begin holding hybrid City Council/Commission meetings enabling members of the City Council, Commissioners and the public to participate remotely or in-person.

**REPORT:**

Assembly Bill (AB 361) was signed by the Governor of the State of California on September 16, 2021 and was set to go into effect immediately, but was stayed from going into effect until October 1, 2021 by Executive Order N-15-21. The Brown Act sets certain restrictions on public agencies holding teleconference meetings. Most notably, public officials attending a meeting virtually must post the agenda in the location they are participating from and allow members of the public to attend the meeting from that space.

AB 361 amends the Brown Act to allow "a local agency to use teleconferencing" during a proclaimed state of emergency without meeting these usual Brown Act teleconference requirements. Under AB 361, the City may continue having meetings using teleconferencing and virtual meeting technology as long as there is a gubernatorial "proclaimed state of emergency," and either (1) state or local officials imposing or recommending measures that promote social distancing or (2) the legislative body finding that meeting in person would present an imminent safety risk to attendees.

AB 361 imposes particular requirements with respect to public comment; however, the City of Calabasas' current practices with respect to live public comment via Zoom already satisfy all of the new requirements in AB 361. Additionally, public agencies must either make findings by majority vote that the state of emergency still exists and continues to directly affect the ability of the members to meet safely in person, or that health officials continue to impose or recommend measures to promote social distancing. Determinations by the local agency that the emergency affects the ability to meet safely in person must be renewed every 30 days. The City may do so by passing a resolution.

If the City Council or City Commissions meet in person, current OSHA requirements state that unvaccinated persons must wear a mask. In addition, staff would need to offer some hybrid model that allows for remote participation for members of the public who cannot attend because of COVID-19 concerns. These hybrid models are not "problem free." A technological glitch in the meeting could prevent action in the meeting. Over the past several months, the City has not observed any lessening of public participation in City Council meetings because of virtual meetings. Continuing the remote meetings would provide for a consistent meeting format until the Governor's state of emergency is lifted.

**RECOMMENDATION:**

That the City Council adopt Resolution No. 2021-1751, authorizing remote teleconference meetings of the Calabasas City Council and City Commissions pursuant to Government Code Section 54953(e) ) and provide direction on when to

begin holding hybrid City Council/Commission meetings enabling members of the City Council, Commissioners and the public to participate remotely or in-person.

**ATTACHMENT:**

Resolution No. 2021-1751