



# CITY OF SAN MATEO

City Hall  
330 W. 20th Avenue  
San Mateo CA 94403  
[www.cityofsanmateo.org](http://www.cityofsanmateo.org)

## Agenda Report

---

Agenda Number: 5

Section Name: {{section.name}}

File ID: {{item.tracking\_number}}

---

**TO:** City Council

**FROM:** Drew Corbett, City Manager

**PREPARED BY:** City Clerk's Office

**MEETING DATE:** October 18, 2021

**SUBJECT:**

Remote Teleconferenced City Council and Commission Meetings – Authorization

**RECOMMENDATION:**

Adopt a Resolution to authorize remote teleconferenced City Council and Board and Commission meetings, as authorized by Assembly Bill 361 amending the Brown Act, based upon the Governor's emergency proclamation and findings that meeting in person would present imminent risks to the health or safety of attendees.

**BACKGROUND:**

On March 4, 2020, Governor Newsom declared a State of Emergency to help state, regional and localities prepare for the broader spread and impacts of COVID-19. The City of San Mateo adopted Resolution 25 (2020) on March 16, 2020 declaring a local emergency due to the impacts and health and safety concerns of COVID-19. Then on March 17, 2020 Governor Newsom issued Executive Order N-29-20, which suspended certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means. Executive Order N-29-20 was further amended with Executive Order N-30-20 on March 21, 2020. Since these orders the City of San Mateo has been holding City Council and Board and Commission meetings remotely, with the legislative bodies, staff and members of the public participating remotely via Zoom Webinar.

On June 11, 2021 Governor Newsom issued Executive Order N-08-21 which rescinded Order N-29-20 and provided an update on the rules to hold meetings remotely and set a date of October 1, 2021 for agencies to transition back to in-person meetings. Assembly Bill 361 (AB 361) was introduced in February 2021 to provide local agencies with the ability to meet remotely during proclaimed state emergencies under modified Brown Act requirements, similar in many ways to the rules and procedures established by the Governor's Executive Orders. AB 361 was signed into law by Governor Newsom on September 16, 2021.

AB 361, which sunsets on January 1, 2024, provides that during a state of emergency, under specified circumstances, agencies may continue to meet remotely if both 1) the State of California is still under a proclaimed emergency and 2) a local agency has made findings that meeting in person would present imminent risk to the health or safety of attendees.

The City Council is being asked to consider adopting a resolution authorizing continued remote meetings of the Council and its subordinate legislative bodies due to the imminent risk to the health and safety of attendees due to possible transmission of COVID-19 and the recent spread of variants. The current health orders require masking in all indoor facilities due to health and safety concerns. In addition, San Mateo County Health Order No. c19-12 provides that the Delta variant is highly transmissible in indoor settings and requires multi-component prevention strategies to reduce its spread. The California Department of Public Health is currently investigating the length of vaccine protection. The Center for Disease Control and Prevention recommends avoiding indoor spaces that do not offer fresh air from the outdoors as much as possible. Returning to meeting in the Council Chambers or smaller conference rooms means being in an enclosed space

for meetings that commonly last for one to five hours and would seem to create additional exposure for participants to a possible transmission of the virus.

AB 361 requires confirming the circumstances of the state of emergency 30 days after the first teleconference meeting and every 30 days thereafter. Staff is recommending putting a renewal resolution on each City Council agenda while the COVID-19 conditions exist that put meeting in person a health and safety risk for attendees.

**BUDGET IMPACT:**

There is no budget impact for taking this action as all software and hardware needs to meet remotely have already been purchased and are in use.

**ENVIRONMENTAL DETERMINATION:**

Adoption of this resolution authorizing remote teleconferenced meetings of the City Council and City Boards and Commissions is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)

**NOTICE PROVIDED**

All meeting noticing requirements were met.

**ATTACHMENTS**

Att 1 - Proposed Resolution

**STAFF CONTACT**

Patrice Olds, City Clerk  
polds@cityofsanmateo.org  
(650) 522-7042