



Human Resources Board

City of Arts & Innovation

TO: HUMAN RESOURCES BOARD **DATE: NOVEMBER 1, 2021**
FROM: CITY ATTORNEY'S OFFICE
SUBJECT: AB 361 COMPLIANCE – MAKE FINDINGS REGARDING ONGOING DECLARED SARS-CoV-2 (COVID-19) PANDEMIC EMERGENCY

ISSUES:

Reconsider the circumstances of the state of emergency and make findings that either the state of emergency continues to directly impact the ability of its members to safely meet in person, or that state and/or local officials continue to recommend or impose social distancing measures.

RECOMMENDATIONS: *(samples of several recommended actions)*

That the City Council:

1. Reconsider the circumstances of the state of emergency
2. make findings that either the state of emergency continues to directly impact the ability of its members to safely meet in person, or that state and/or local officials continue to recommend or impose social distancing measures.

LEGISLATIVE HISTORY: *(optional)*

Assembly Bill (AB) 361, effective October 1, 2021.

BACKGROUND:

The Brown Act, found in CA Government Code Section 54950, *et seq.*, was amended to add requirements for entities that conduct meetings via teleconference during a state of emergency. All Brown Act bodies must comply with the new requirements every 30 days to continue to meet via teleconference.

DISCUSSION:

Government Code Section 54953 was amended to add subdivisions (e) and (f).

Section 54953 subdivision (e) paragraph (3) requires the legislative body to make findings, no later than 30 days after the first teleconference and every 30 days thereafter, that (1) the body has reconsidered the circumstances of the state of emergency and (2) the state of emergency continues to directly impact the ability of its members to safely meet in person, or that state or local officials continue to recommend or impose social distancing measures.

We recommend that the Board conduct its 30-day review and make the necessary findings within 30 days of its first meeting on or after October 1, 2021, to continue to meet via teleconference and remain in compliance with AB 361.

STRATEGIC PLAN ALIGNMENT:

1. **Community Trust** – Riverside is transparent and makes decisions based on sound policy, inclusive community engagement, involvement of City Boards & Commissions, and timely and reliable information. Activities and actions by the City serve the public interest, benefit the City’s diverse populations, and result in greater public good.
2. **Equity** – Riverside is supportive of the City’s racial, ethnic, religious, sexual orientation, identity, geographic, and other attributes of diversity and is committed to advancing the fairness of treatment, recognition of rights, and equitable distribution of services to ensure every member of the community has equal access to share the benefits of community progress.
3. **Sustainability & Resiliency** – Riverside is committed to meeting the needs of the present without compromising the needs of the future and ensuring the City’s capacity to persevere, adapt and grow during good and difficult times alike.

FISCAL IMPACT:

There is no fiscal impact for this item.

Prepared by: Rosemary Koo, Senior Deputy City Attorney
Approved by: Michelle Stevens, Secretary, Human Resources Board