

REPORT TO CITY COUNCIL

DATE: MARCH 9, 2022

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: NATHAN HAMBURGER, CITY MANAGER

SUBJECT: DISCUSSION TO DETERMINE IMPLEMENTATION OF IN-PERSON ACCESS TO PUBLIC MEETINGS

The purpose of this item is to seek City Council feedback and direction in regards to returning the City's public meetings to allow for in-person attendance. In addition, staff is seeking feedback on the desire of the City Council in allowing the public to participate in public meetings virtually (via Zoom or other source) even when the meetings will be held in-person.

The COVID-19 pandemic has caused a majority of the City's public meetings to be held remotely since early in 2020. Following the Governor's temporary relief from Brown Act meeting requirements, Assembly Bill 361 (AB 361), provided the ability for the City to conduct public meetings under temporarily amended Brown Act requirements. Although there have been several times in which it looked possible to return to in-person meetings, there have been multiple set-backs related to various health orders or social distancing requirements, specifically to indoor activities. On February 25, 2022, the Los Angeles County orders were amended to allow fully vaccinated individuals the option to unmask indoors and mandated those that are not vaccinated to provide proof of a recent negative test to enter a building and kept the requirement for them to continue wearing a mask indoors. Although the emergency declaration related to the pandemic is still in effect, there has been significant progress made to returning to day-to-day in-person activities. Should the recommendation be made to reopen public meetings to in-person participation, staff will follow the Los Angeles County Health guidelines in regards to vaccinations and masking requirements for indoor activities. At the time of the production of this report, Los Angeles County is considering removing restrictions, but nothing has been finalized. Should staff receive further updates, those will be shared during the presentation of this item.

The City has been able to offer remote meetings, as well as a hybrid of in-person (City Councilmembers) and remote access, while the public was not able to be in attendance in-person due to safety and health concerns. Staff is now seeking direction as to when the City Council determines it would be safe and appropriate to allow for in-person participation for the community in public meetings. This would include City Council and Planning Commission meetings, subcommittee and committee meetings, workshops (public and privately proposed development), and other City publically noticed meetings. Staff operations have been planned for, and are prepared to return to, in-person access to public meetings at the discretion of the City Council. For reference, the cities in our

region have varying timelines in regards to this issue with some cities already having returned to in-person meetings while others are still in a wait and see mode. Regardless of the timing of the return to public in-person meetings, staff has security plans in place via several contracted service providers.

Previous discussions on public meetings have involved a question as to whether or not City Council subcommittees could remain remotely accessed by all participants. Under AB 361, the City Council could make the required findings that holding certain meetings remotely serves the safety of the public and/or members participating in the subcommittee meetings and promotes the necessary social distancing. This determination would need to be reviewed and considered every 30 days, consistent with what has been done since the implementation of AB 361.

In addition, there has been a request to consider a policy that would allow for remote attendance of City Council or Planning Commission members at future meetings following the concluded declaration of emergency for the COVID-19 pandemic. Due to the fact that there is the discussion of potential legislative changes or amendments to the Brown Act meeting requirements, it is recommended that this specific discussion be placed on hold until that information is implemented and analyzed. If it is the pleasure of the City Council to do so, then staff will bring a proposed policy back at the time further information is available.

Staff also requests feedback on the City Council's desire to continue to allow public participation via remote access, such as Zoom or phone, following the reinstatement of in-person meeting access. There have been requests made by members of the public to consider offering access remotely to meetings to participate via a chosen media method while not having to actually sit in a meeting. This could ultimately increase the ability of the public to participate and adds further transparency to the decisions made on behalf of the City. The City has the capabilities to continue to provide this participation option but would need to make adjustments to how the meetings are administered with the mix of in-person and remote participants. Other than a small cost of audio/video equipment that would need to be added in the Council Chambers, staff could amend the procedures on taking public feedback and facilitate both options if it is something that the City Council has a desire to offer to the public.

No matter how public participation occurs, it is vital to the City's planning and implementation of services and serves to enhance the community.

RECOMMENDATION

Staff recommends the City Council provide the appropriate feedback and direction to staff in regards to the implementation of in-person public meetings and the continued use of remote public participation.