

## RESOLUTION NO. 2021-27

### **A RESOLUTION OF THE SAUSALITO PLANNING COMMISSION AUTHORIZING TELECONFERENCE MEETINGS IN COMPLIANCE WITH AB 361 (GOVERNMENT CODE SECTION 54953(e)) TO CONTINUE TO ALLOW MEMBERS OF THE PUBLIC, THE LEGISLATIVE BODY, AND CITY STAFF TO SAFELY PARTICIPATE IN LOCAL GOVERNMENT MEETINGS**

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**WHEREAS**, the City of Sausalito is committed to ensuring public access to observe and participate in local government meetings; and

**WHEREAS**, all meetings of the Sausalito City Council and other legislative bodies created pursuant to Government Code Section 54952(b) are open and public, as required by the Ralph M. Brown Act, so that any member of the public may participate in local government meetings; and

**WHEREAS**, the recently adopted AB 361, codified at Government Code section 54953(e), makes provisions for remote teleconferencing participation in local government meetings, without compliance with the requirements of 54953(b)(3), during a Governor-proclaimed state of emergency and if the local legislative body determines, by majority vote, that as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, and

**WHEREAS**, on March 4, 2020, Governor Newsom proclaimed a State of Emergency due to the outbreak of respiratory illness due to a novel coronavirus (now known as COVID 19) and that State of Emergency is still in effect in the State of California; and

**WHEREAS**, on March 17, 2020, the City Council adopted Resolution No. 5905 and thereby proclaimed the existence of a local state of emergency within the City, pursuant to Chapter 2.44 of the Sausalito Municipal Code and Section 8630 of the California Emergency Services Act in response to the COVID-19 pandemic; and

**WHEREAS**, COVID-19 continues to threaten the health and lives of City residents; and

**WHEREAS**, the SARS-CoV-2 Delta Variant (Delta Variant) is highly transmissible in indoor settings; and

**WHEREAS**, on July 28, 2021, the California Department of Public Health issued guidance calling for the use of face coverings and stating that the Delta Variant is two times as contagious as early COVID-19 variants, leading to increasing infections, the Delta Variant accounts for over 80% of cases sequenced, and cases and hospitalizations of COVID-19 are rising throughout the state; and

**WHEREAS**, the Delta Variant has caused, and will continue to cause, conditions of imminent peril to the health safety of persons within the City; and

**WHEREAS**, the Planning Commission, acting as a legislative body pursuant to Government Code section 54952(a) finds that the current conditions meet the circumstances set forth in Government Code section 54953(e)(3) to allow the legislative bodies to continue to use teleconferencing to hold open and public meetings if the legislative body complies with the requirements set forth in Government Code section 54953(e)(2) to ensure the public can safely participate in and observe local government meetings.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Sausalito Planning Commission does hereby resolve, declare, determine, and find that based on the California Governor's continued declaration of a State of Emergency and current conditions, meeting in person would present imminent risks to the

health or safety of attendees, such that the conditions continue to exist pursuant to Government Code section 54953(e)(3) to allow the Planning Commission to use teleconferencing to hold public meetings in accordance with Government Code section 54953(e)(2) to ensure members of the public have continued access to safely observe and participate in local government meetings.

**RESOLUTION PASSED AND ADOPTED**, at the regular meeting of the Sausalito Planning Commission on the 6<sup>th</sup> day of October, 2021, by the following vote:

AYES: Saad, Luxenberg, Junius, Chair Feller  
NOES: None  
ABSENT: Graef  
ABSTAIN: None

  
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Lilly Whalen  
Secretary to the Planning Commission