

RESOLUTION NO.

RESOLUTION REGARDING TELECONFERENCE AND VIDEOCONFERENCE MEETINGS DURING THE COVID-19 STATE OF EMERGENCY

WHEREAS, on March 4, 2020, Governor Newsom proclaimed pursuant to his authority under the California Emergency Services Act, California Government Code Section 8625, that a state of emergency exists due to a novel coronavirus (COVID- 19); and

WHEREAS, on June 4, 2021, in lifting many restrictions that the State previously imposed due to COVID-19, the Governor indicated that those changes did not end the ongoing, proclaimed state of emergency; and

WHEREAS, as of the date of this Resolution, neither the Governor nor the Legislature have exercised their respective powers pursuant to California Government Code section 8629 to lift the state of emergency either by proclamation or by concurrent resolution in the state Legislature; and

WHEREAS, the continued local rates of transmission of the virus and variants causing COVID-19 are such that on September 22, 2021, the Marin County Director of Health & Human Services recommended that local government entities continue to emphasize social distancing in order to minimize the potential spread of COVID-19 during indoor, public meetings; and

WHEREAS, the County Director of Health & Human Services' has confirmed her recommendation related to public meetings, including in a letter to the Board of Directors on April 26, 2022; and

WHEREAS, on November 26, 2021, the World Health Organization (WHO) classified a new variant, B.1.1.529, as a Variant of Concern and named it Omicron and on December 1, 2021, the California and San Francisco Departments of Public Health confirmed that the first case of COVID-19 in California caused by the Omicron variant; and

WHEREAS, Omicron is a more contagious variant and by January 10, 2022, the U.S. reported 1,400,000 positive COVID-19 cases on a single day; and

WHEREAS, on February 22, 2022, the WHO labeled a second version of Omicron to be a new variant of concern; and

WHEREAS, in light of the County's recommendation and the current COVID-19 variant of concern, the Town Council desires to continue to have the flexibility, for itself and for all other Town legislative bodies, to meet by teleconference and/or videoconference; and

WHEREAS, adopting a resolution to establish the format for public meetings during a state of emergency is not a "project" under the California Environmental Quality Act (CEQA),

because it does not involve an activity that has the potential to cause a direct or reasonably foreseeable indirect physical change in the environment. (Cal. Pub. Res. Code § 21065).

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The above recitals are hereby incorporated as if fully set forth herein.
2. There is an ongoing proclaimed state of emergency relating to the novel coronavirus causing the disease known as COVID-19.
3. The state of emergency continues to directly impact the ability of Town Council to meet safely in person.
4. Local health officials, including the County Director of Health & Human Services continue to recommend social distancing during public meetings, including the use of tele/video conferencing.
5. Holding meetings with all attendees participating 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 Town of San Anselmo Town Council and Town legislative bodies 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.

PASSED AND ADOPTED at the regular meeting of the Town Council of the Town of San Anselmo held on the 10th day of May, 2022, by the following vote:

AYES

NOES:

ABSENT:

Alexis Fineman, Mayor

Attest:

Carla Kacmar, Town Clerk