

RESOLUTION R2021-__

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NAPA, STATE OF CALIFORNIA, AUTHORIZING THE CITY
MANAGER TO IMPLEMENT TELECONFERENCED
PUBLIC MEETINGS DURING THE PROCLAIMED LOCAL
EMERGENCY RELATED TO COVID-19**

WHEREAS, on March 15, 2020, the City Manager (acting as the Director of Emergency Services) issued Proclamation No. P2020-001 to proclaim the existence of a "local emergency based on the existence of conditions related to the novel coronavirus known as "SARSCoV-2," named "coronavirus disease2019" and abbreviated "COVID-19"; and

WHEREAS, in response to COVID-19, the Governor of the State of California issued a Proclamation of a State of Emergency on in response to COVID-19 on March 4, 2020; and

WHEREAS, on March 17, 2020, the Governor issued Executive Order N-29-20, which suspended and modified the teleconferencing requirements under the Brown Act (California Government Code Section 54950 et seq.) so that legislative bodies can hold public meetings via teleconference (with audio or video communications, without a physical meeting location), as long as the meeting agenda identifies the teleconferencing procedures to be used; and

WHEREAS, on June 11, 2021, Governor Gavin Newsom issued Executive Order N-08-21, which extended the provision of N-29-20 concerning the conduct of public meetings through September 30, 2021; and

WHEREAS, without considering the modifications to teleconferencing requirements authorized by Executive Orders, summarized above, the City is authorized to conduct teleconferenced public meetings under the Brown Act (particularly California Government Code Section 54953), which generally include the following procedural requirements:

- Each remote location, from which a member will be participating in the meeting, must be identified on the meeting notice and agenda.
- Each remote location must be accessible to the public during the meeting.
- Members of the public must be provided an opportunity to address the legislative body at each remote location.
- The meeting agenda must be posted at each remote location.
- At least a quorum of the members of the legislative body must participate from locations within the City limits.
- All votes taken during a teleconferenced meeting must be by rollcall.

WHEREAS, The City Council conducts its meetings in accordance with the requirements of the Brown Act, and the City's Rules of Order (Council Policy Resolution

ATTACHMENT 1

19, R2016-6), and all City Boards, Commission and Committees conduct their meetings in accordance with the requirement of the Brown Act and pursuant to the City's Rules of Order for City Established Boards, Commissions and Committees (Council Policy Resolution 10, R2016-5); and

WHEREAS, under Section 7.7 of R2016-5 and under section 4.7 of R2016-6, there must be an action by City Council authorizing the teleconferencing.

WHEREAS, in response to the current threat to the general public of the COVID-19 virus, there is a desire to implement teleconference meetings, pursuant to the requirements of the Brown Act, as so long the City has proclaimed a local emergency due to COVID-19;

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Napa, as follows:

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct, and establish the factual basis for the City Council's adoption of this Resolution.
2. The City Council hereby authorizes the City Manager to implement teleconferenced public meetings for legislative bodies of the City, pursuant to the requirements of the Brown Act (particularly California Government Code Section 54953, as summarized in the recitals of this resolution), provided that: (a) the meeting occurs during the proclaimed local emergency related to COVID-19, and (b) the City Manager determines the City has sufficient technical and administrative resources available to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body.
3. This Resolution shall take effect immediately upon its adoption.

ATTACHMENT 1

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 21st day of September, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Tiffany Carranza
City Clerk

Approved as to form:

Michael W. Barrett
City Attorney