

RESOLUTION 2022-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA, CALIFORNIA AUTHORIZING THE USE OF REMOTE TELECONFERENCING PROVISIONS (AB 361)

WHEREAS, the Ralph M. Brown Act (Government Code section 54950 *et seq.*) generally requires local agencies meeting via teleconference, including through other virtual or electronic means, to, among other things, provide public access at each location in which members of the legislative body are teleconferencing; and

WHEREAS, Assembly Bill 361 (AB 361) amends Government Code section 54953 to allow local agencies to meet fully virtually, without fully adhering to the rules otherwise applicable to teleconferencing, during a proclaimed state of emergency if state or local officials have imposed or recommended measures to promote social distancing; and

WHEREAS, the Governor issued a proclamation declaring a state of emergency on March 4, 2020 due to the COVID-19 pandemic, pursuant to section 8625 of the California Emergency Services Act, and this proclaimed state of emergency currently remains in effect; and

WHEREAS, the City Council of the City of Santa Ana declared a local emergency on March 17, 2020 pursuant to Santa Ana Municipal Code section 2-404A (now section 2-646A); and

WHEREAS, in order to continue teleconferencing pursuant to the provisions of AB 361, the City Council is required to make certain findings every thirty (30) days; and

WHEREAS, the City Council of the City of Santa Ana, consistent with those provisions, approved Resolutions 2021-055, 2021-66, 2021-072, 2022-004, 2022-015, 2022-021, 2022-026, 2022-033, 2022-037; 2022-043; 2022-050; and 2022-063 authorizing the use of remote teleconferencing provisions pursuant to AB 361; and

WHEREAS, the City Council of the City of Santa Ana has reconsidered the circumstances of the state of emergency; and

WHEREAS, state and local officials continue to recommend measures to promote social distancing to prevent the spread of COVID-19; and

WHEREAS, Orange County has a high transmission rate of COVID-19 according to the Center for Disease Control and Prevention community transmission rates; and

WHEREAS, the continuation of remote teleconferencing will allow for full participation by members of the public and the members of the City legislative bodies until social distancing recommendations are lifted; and

WHEREAS, the City Council of the City of Santa Ana desires to continue to utilize remote teleconferencing pursuant to AB 361 and Government Code section 54953(e).

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

SECTION 1. The above recitals are true and correct and shall be the findings of the City of Santa Ana's City Council and each and every other legislative body of the City.

SECTION 2. The City Council of the City of Santa Ana hereby authorizes the use of remote teleconferencing pursuant to AB 361.

SECTION 3. The City Council and all other legislative bodies of the City of Santa Ana created by the City Council or created through its City Charter shall continue to meet virtually in accordance with Government Code section 54953(e) and without compliance with section 54953(b)(3) based upon the findings and determinations hereby made by the City Council.

SECTION 4. The City Clerk shall attest to and certify to the passage and adoption of this resolution and it shall be effective immediately upon its approval.

ADOPTED this ____ day of August, 2022.

Vicente Sarmiento
Mayor

APPROVED AS TO FORM:
Sonia R. Carvalho, City Attorney

By: John M. Funk
John M. Funk
Chief Assistant City Attorney

AYES: Councilmembers _____

NOES: Councilmembers _____

ABSTAIN: Councilmembers _____

NOT PRESENT: Councilmembers _____

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Clerk of the Council, do hereby attest to and certify the attached Resolution No. 2022-____ to be the original Resolution adopted by the City Council of the City of Santa Ana on _____, 2022.

Date: _____

Clerk of the Council
City of Santa Ana