

**COUNCIL MEETING**  
12/13/2021  
Received Before Meeting

**21**



**DISCUSSION AND POSSIBLE  
DIRECTION REGARDING  
IN-PERSON, REMOTE, OR  
HYBRID CITY COUNCIL & BOARD  
& COMMISSION MEETINGS**

**DECEMBER 13, 2021**

[www.cityofpaloalto.org](http://www.cityofpaloalto.org)

# PURPOSE

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- Discuss elements and challenges associated with requiring in-person meetings for Standing Committees, Ad Hoc Committees, Boards, Commissions and Committees (BCCs)
- Consider delaying physically convening until February 1 or later based on current pandemic conditions, staffing limitations and feedback from chairs of the Boards, Commissions and Committees with the goal of providing access and consistency for public participation at future meetings

AB 361, codified at California Government Code Section 54953(e), empowers local policy bodies to convene by teleconferencing technology during a proclaimed state of emergency under the State Emergency Services Act. Must find that either:

1. The state of emergency continues to directly impact the ability of the members to meet safely in person, or
2. State or local officials continue to impose or recommend measures to promote social distancing.

# COUNCIL CURRENT DIRECTION, 9/27/2021

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- A. *Begin hybrid City Council meetings on November 1, 2021, and not requiring Standing Committees, Ad-Hoc Committees, Boards and Commissions to physically convene until January 2022;*
- B. *Require the public, Staff and City Council Members to provide proof of vaccination or a negative COVID-19 test within 48 hours prior to the meeting;*
- C. *Provide an option for City Council to attend in-person or virtually as long as the Santa Clara County maintains mandatory indoor masking for public meetings;*
- D. *Upon the end of mandatory indoor masking, modify the City Council protocols to increase City Council's teleconference participation to 5 meetings per year;*
- E. *Request Staff to allow virtual attendees to participate by video, barring technical barriers in doing so; and*
- F. *Upon relevant changes in Santa Clara County's or the CDC's guidelines, for City Council to revisit the guidelines, consider a default standard for in-person meetings if provided by the Santa Clara County, and discuss other in-person meeting requirements.*



# STATE/COUNTY/CDC MASKING GUIDELINES

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- County identified criteria for the lifting of indoor masking requirements:
  - Jurisdiction reaches the moderate (yellow) COVID-19 transmission tier, as defined by the Centers for Disease Control & Prevention (CDC), and remains there for at least three weeks; **AND**
  - COVID-19 hospitalizations in the jurisdiction are low and stable, in the judgment of the health officer; **AND**
  - 80% of the jurisdiction's total population is fully vaccinated with two doses of Pfizer or Moderna or one dose of Johnson & Johnson (booster doses not considered) **OR**
  - Eight weeks have passed since a COVID-19 vaccine has been authorized for emergency use by federal and state authorities for 5- to 11-year-olds

# VARIABLES FOR CONSIDERATION

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## **Board/Commission Member In-Person Attendance**

- Optional vs. Mandatory
- Proficiency managing hybrid meetings
- Administrative requirements for posting, participation, conduct of meetings, recordings

## **Public**

- Health and safety, including vulnerable populations
- Current easy access to participate in public meetings
- Consistency in approach across City boards and commissions

## **Current Pandemic Conditions**

- Continued volatility with COVID-19 strains
- Requirements for vaccination and/or testing verification, face coverings, and social distancing
- Current Government Code meeting flexibility

## **Post Pandemic Conditions**

- Reduction in health and safety uncertainties
- Removal of existing public health orders
- Consistency in meeting management and format
- Sustainable model with limited staff support
- Return to traditional Brown Act rules

# OTHER ELEMENTS FOR CONSIDERATION

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- Exposure of a meeting participant (staff, board member, etc.) and the need to change approach after exposures occur
- Clarity in communications for BCC membership and the public
- New variants and potential holiday surge, continuing health and safety for all
- Staff availability and technology needs
  - City Council chambers is the only facility equipped to handle a hybrid meeting
  - Vaccination / testing checks requires additional staffing
- Santa Clara County jurisdictions status of in-person, hybrid, or virtual meetings remain mixed; E.G. SCC itself remains fully virtual

## RECOMMENDATION

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Staff recommends that Council discuss and provide any supplemental direction regarding the timing of resuming in-person City Council, Board, and Commission meetings, or using remote or hybrid formats.

### **Draft Motion**

Councilmember XX, seconded by Councilmember XX defer resumption of in-person hybrid meetings for Board, Committee, and Commission (BCC) meetings to XX or later.



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