

Resolution No. 10069

Resolution Making Findings to Allow Teleconferenced Meetings Under California Government  
Code Section 54953(e)

R E C I T A L S

A. 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 so long as certain conditions are met; and

B. In March 2020, the Governor of the State of California proclaimed a state of emergency in California in connection with the Coronavirus Disease 2019 (“COVID-19”) pandemic, and that state of emergency remains in effect; and

C. In February 2020, the Santa Clara County Director of Emergency Services and the Santa Clara County Health Officer declared a local emergency, which declarations were subsequently ratified and extended by the Santa Clara County Board of Supervisors, and those declarations also remain in effect; and

D. On September 16, 2021, the Governor signed AB 361, a bill that amends the Brown Act to allow local policy bodies to continue to meet by teleconferencing during a state of emergency without complying with restrictions in State law that would otherwise apply, provided that the policy bodies make certain findings at least once every 30 days; and

E. While federal, State, and local health officials emphasize the critical importance of vaccination and consistent mask-wearing to prevent the spread of COVID-19, the Santa Clara County Health Officer has issued at least one order, on August 2, 2021 (available online at [here](#)), that continues to recommend measures to promote outdoor activity, physical distancing and other social distancing measures, such as masking, in certain contexts; and

F. The California Department of Industrial Relations Division of Occupational Safety and Health (“Cal/OSHA”) has promulgated Section 3205 of Title 8 of the California Code of Regulations, which requires most employers in California, including in the City, to train and instruct employees about measures that can decrease the spread of COVID-19, including physical distancing and other social distancing measures; and

G. The Palo Alto City Council has met remotely during the COVID-19 pandemic and can continue to do so in a manner that allows public participation and transparency while minimizing health risks to members, staff, and the public that would be present with in-person meetings while this emergency continues; now, therefore,

The Council of the City of Palo Alto RESOLVES as follows:

1. As described above, the State of California remains in a state of emergency due to the COVID-19 pandemic. At this meeting, the Palo Alto City Council has considered the circumstances of the state of emergency.
2. As described above, State and County officials continue to recommend measures to promote physical distancing and other social distancing measures, in some settings.

AND BE IT FURTHER RESOLVED, That for at least the next 30 days, meetings of the Palo Alto City Council and its committees will occur in a hybrid format, where both members of the policy body and members of the public may elect to be present in person, utilizing appropriate distancing and masking practices, or participate by teleconferencing technology. Such meetings of the Palo Alto City Council and its committees that occur using teleconferencing technology will provide an opportunity for any and all members of the public who wish to address the body its committees and will otherwise occur in a manner that protects the statutory and constitutional rights of parties and the members of the public attending the meeting via teleconferencing; and, be it

FURTHER RESOLVED, That the City Clerk is directed to place a resolution substantially similar to this resolution on the agenda of a future meeting of the Palo Alto City Council within the next 30 days. If the Palo Alto City Council does not meet within the next 30 days, the City Clerk is directed to place a such resolution on the agenda of the immediately following meeting of Palo Alto City Council.

INTRODUCED AND PASSED: September 12, 2022

AYES: BURT, FILSETH, KOU, STONE, TANAKA

NOES: CORMACK, DUBOIS

ABSENT:

ABSTENTIONS:

ATTEST:

DocuSigned by:  
*Lesley Milton*  
E50481CF3DB34FA...  
City Clerk

DocuSigned by:  
*Patrick Burt*  
ED8E9CF888E04FF...  
Mayor

APPROVED AS TO FORM:

DocuSigned by:  
*Molly Stump*  
99A479B055574A9...  
City Attorney

APPROVED:

DocuSigned by:  
*Ed Shihada*  
F2B6A19000004F9...  
City Manager

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Source Envelope:

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Initials: 0

Vinhloc Nguyen

AutoNav: Enabled

250 Hamilton Ave

Envelopeld Stamping: Enabled

Palo Alto , CA 94301

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Vinhloc.Nguyen@CityofPaloAlto.org

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Pool: City of Palo Alto

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**Signer Events**

Molly Stump

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City Attorney

City of Palo Alto

Security Level: Email, Account Authentication  
(None)**Signature**

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39A473B653574A9...**Timestamp**

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**Electronic Record and Signature Disclosure:**

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Ed Shikada, City Manager

City of Palo Alto

Security Level: Email, Account Authentication  
(None)

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**Electronic Record and Signature Disclosure:**

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Patrick Burt

pat@patburt.org

Mr

Security Level: Email, Account Authentication  
(None)

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Lesley Milton

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City Clerk

Security Level: Email, Account Authentication  
(None)

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| Agent Delivery Events        | Status           | Timestamp             |
| Intermediary Delivery Events | Status           | Timestamp             |
| Certified Delivery Events    | Status           | Timestamp             |
| Carbon Copy Events           | Status           | Timestamp             |
| Witness Events               | Signature        | Timestamp             |
| Notary Events                | Signature        | Timestamp             |
| Envelope Summary Events      | Status           | Timestamps            |
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| Certified Delivered          | Security Checked | 9/28/2022 11:32:56 AM |
| Signing Complete             | Security Checked | 9/28/2022 11:33:04 AM |
| Completed                    | Security Checked | 9/28/2022 11:33:04 AM |
| Payment Events               | Status           | Timestamps            |