

AGENDA ITEM NO.14

CITY OF HAWTHORNE CITY COUNCIL AGENDA BILL

For the meeting of *January 11, 2022*
Originating Department: City Manager

City Manager: *Vontray Norris*
Vontray Norris

SUBJECT:

Resolution No. 8328, A Resolution of the City Council of the City of Hawthorne, California, Re-Ratifying the Proclamation of a State of Emergency by Governor Newsom on March 4, 2020 and Re-Authorizing Remote Teleconference Meetings of the City Council, Commissions and Committees of the City of Hawthorne for the 30 Day Period Beginning January 11, 2022 Through February 10, 2022 Pursuant to the Ralph M. Brown Act and Assembly Bill No. 361.

RECOMMENDED MOTION:

Staff recommends that the City Council approve Resolution No. 8328.

DISCUSSION:

As previously reported to the City Council, AB 361 was signed by the Governor and went into effect on October 1, 2021. In the September 28th regular council meeting, the City Council unanimously voted to approve the two findings necessary for compliance with AB 361 teleconference meeting mandates.

The September 28th Council's vote of findings that (1) Council considered the Circumstances of the Emergency and (2) Local officials continue to impose/recommend social distancing was specifically for the City Council meetings. Thereafter, during the regularly scheduled City Council meeting of October 12, 2021, Resolution No. 8306 was approved, allowing the City Council, city commissions and committees to continue to meet through Zoom. Since then, the City had passed resolutions in compliance with AB 361 by accepting the same findings every 30 days. The last such resolution, No. 8324, was approved on December 14, 2021. The need for the continued teleconferenced meetings has become even more crucial due to the rise in infection rate caused by Omicron variant.

FISCAL IMPACT:

None.

NOTICING PROCEDURES:

72 hours posted notice pursuant to the Ralph M. Brown Act.

ATTACHMENT(S):

Resolution No. 8324

RESOLUTION NO. 8328

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020 AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE CITY COUNCIL, COMMISSIONS AND COMMITTEES OF THE CITY OF HAWTHORNE FOR THE 30 DAY PERIOD BEGINNING JANUARY 11, 2022 THROUGH FEBRUARY 10, 2022 PURSUANT TO THE RALPH M. BROWN ACT AND ASSEMBLY BILL NO. 361

WHEREAS, the City of Hawthorne ("City") is committed to preserving and nurturing public access and participation in meetings of the City Council, City Committees and Commissions; and

WHEREAS, all meetings of the City Council, City's Committees and Commissions are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963) so that any member of the public may attend, participate, and watch the City Council, City's Commissions and Committees conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is proclaimed and state or local officials have imposed or recommended measures to promote social distancing; and

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency as a result of the COVID-19 pandemic; and

WHEREAS, on March 15, 2020, the City declared a local state of emergency as a result of the COVID-19 pandemic and subsequent mitigation measures to combat COVID-19 have remained in effect and in force; and

WHEREAS, on March 16, 2020, the County of Los Angeles put into effect measures requiring social distancing and other public health measures and restrictions to help combat the COVID-19 pandemic; and

WHEREAS, COVID-19 continues to threaten the health and lives of City residents and community transmission of COVID-19 in Los Angeles county has seen a spike due to the Delta and Omicron variant of COVID-19; and

WHEREAS, as a consequence of the local emergency persisting, the City Council does hereby find and determine that the City Council, City Commissions and City Committees shall continue to conduct their meetings without the compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that the City's Council, Commissions and Committees shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953..

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hawthorne does hereby find, determine and order as follows:

Section 1. The City Council of the City of Hawthorne, California, hereby incorporates by reference all the recitals herein and finds that they are true and correct.

Section 2. The City Council of the City of Hawthorne, California, hereby considers the existing conditions of the state of emergency in the City and proclaims that a local emergency persists throughout the City, and consistent with the provisions of Government Code section 54953(e), the City Council finds and determines the following:

- A. A state of emergency related to COVID-19 is currently in effect, AND
- B. The local officials in Los Angeles County have imposed or recommended measures to promote social distancing in connection with COVID-19.

Based on such facts, findings and determinations, the City Council authorizes staff to conduct remote teleconference meetings of the City Council, including all City Commissions and Committee meetings, under the provisions of Government Code section 54953(e).

Section 3. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and his certification to be entered in the Book of Resolutions of the Council of the City.

Section 4. This resolution shall be in full force and effect immediately upon its passage and adoption thereof and shall be effective until the earlier of (i) 30 days from the date of adoption of this Resolution, or (ii) such time the City Council adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the City Council, City's Commissions and Committees may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953..

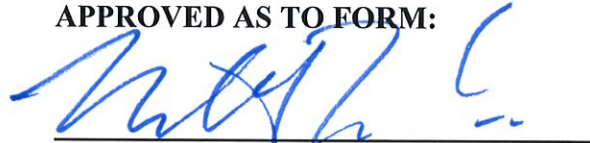
PASSED, APPROVED, and ADOPTED this 11th day of January, 2022.

ALEX VARGAS, Mayor
City of Hawthorne, California

ATTEST:

PAUL JIMENEZ, City Clerk
City of Hawthorne, California

APPROVED AS TO FORM:



ROBERT M. KIM, City Attorney
City of Hawthorne, California