

CITY OF RANCHO CORDOVA



CITY COUNCIL MEETING Monday, February 12, 2024

**5:45 PM – Special Meeting
David B. Roberts Council Chambers**

**City Hall
2729 Prospect Park Drive, Rancho Cordova**

Public Comment

Members of the public who wish to address the Council may do so in person during the meeting by completing and submitting a Speaker Card to the City Clerk.

Members of the public who wish to provide public comment via email will need to submit comments to CityClerk@cityofranhocordova.org no later than 2:00 p.m. on Monday, February 12, 2024. Written comments received no later than 2:00 p.m. will be distributed to the Council, filed in the record, and will not be read aloud. All comments submitted later than 2:00 p.m. will be distributed to the Council.

If you have questions related to the City Council Meeting, please contact the City Clerk's Office at (916) 851-8720 before Monday, February 12, 2024, at 2:00 p.m.

AGENDA

1. SPECIAL MEETING - CALL TO ORDER/ROLL CALL

Council Members Linda Budge, Garrett Gatewood, Siri Pulipati, Donald Terry, and Mayor David Sander

2. PUBLIC COMMENT

At a special meeting, members of the public wishing to address the Council for any matter on the agenda may do so at the time the matter is discussed. Under the provisions of the California Government Code, the City Council is prohibited from discussing or taking action on any item not on the agenda.

3. SPECIAL MEETING ITEM

- 3.1. **Subject:** Discuss the Future Format and Forum for Public Meetings Subject to the Ralph M. Brown Act.

Recommendation: Staff recommends generally discontinuing the use of teleconferencing for City Council and other boards, commissions, and committees that conduct their business in a public forum in accordance with the requirements of California's Ralph M. Brown Act (Brown Act).

4. ADJOURNMENT

ADDITIONAL INFORMATION

Special Meetings listed below are subject to change/cancellation without further notice.

Public documents related to items on the open session portion of this agenda, which are distributed to the City Council less than 24 hours prior to the meeting, shall be available for public inspection at the time the documents are distributed to the Council. Documents are available for inspection at the City Clerk's office located in Rancho Cordova City Hall.

The agenda items are accessible on the City's website at www.cityofranchocordova.org on Thursdays or Fridays prior to the Regular City Council Meeting.

UPCOMING MEETINGS

February 20, 2024	5:30 PM Regular Meeting
February 27, 2024	5:30 PM Special Meeting/Work Session
March 4, 2024	4:00 PM Special Meeting/Regular Meeting
March 18, 2024	5:30 PM Regular Meeting
March 26, 2024	5:30 PM Special Meeting/Work Session
April 2, 2024	4:00 PM Special Meeting/Regular Meeting
April 23, 2024	5:30 PM Special Meeting/Work Session
May 6, 2024	4:00 PM Special Meeting/Regular Meeting

If you have any technical questions related to the agenda items, please contact City Hall at (916) 851-8700.

In compliance with the Americans with Disabilities Act, if you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the City Clerk's Office at (916) 851-8720 at least 48 hours prior to the meeting.

CERTIFICATION OF POSTING OF AGENDA

I, Stacy Leitner, City Clerk for the City of Rancho Cordova, declare that the foregoing agenda for the February 12, 2024 Special Meeting of the Rancho Cordova City Council was posted and available for review on February 9, 2024, at City Hall of the City of Rancho Cordova, 2729 Prospect Park Drive, Rancho Cordova, California, 95670. The agenda is also available on the city website at www.cityofranhocordova.org.

Signed February 9, 2024, at Rancho Cordova, California.



Stacy Leitner, CMC
City Clerk

MEMORANDUM



ITEM 3.1.

DATE: February 12, 2024
TO: Honorable Mayor and Council Members
FROM: Micah Runner, City Manager
Stacy Leitner, City Clerk
SUBJECT: **DISCUSS THE FUTURE FORMAT AND FORUM FOR PUBLIC MEETINGS SUBJECT TO THE RALPH M. BROWN ACT**

RECOMMENDATION

Staff recommends generally discontinuing the use of teleconferencing for City Council and other boards, commissions, and committees that conduct their business in a public forum in accordance with the requirements of California's Ralph M. Brown Act (Brown Act).

RESULT OF RECOMMENDED ACTION

Based on direction from Council, staff would generally discontinue the use of teleconferencing for City Council and other boards, commissions, and committees that conduct their business in a public forum in accordance with the requirements of California's Brown Act.

BACKGROUND

Meetings of the City Council and the City's other legislative bodies with the exception of closed session meetings are open and public, as required by the Brown Act, Government Code Section 54950, et seq., so that any member of the public may attend, participate, and watch the City's legislative bodies conduct their business. On March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Brown Act in order to allow legislative bodies to conduct virtual meetings to slow the spread of COVID-19. As a result of Executive Order N-29-20, City staff offered virtual meetings for the City Council and other boards, commissions, and committees that conduct their business in a public forum in accordance with the requirements of the Brown Act (Government Code Section 54950, et. seq.). The Brown Act requires local government to conduct business at a noticed public meeting with limited exceptions. The Brown Act includes numerous meeting procedures regarding location, attendance, agendas, and public participation opportunities.

Throughout 2021 and 2022, Governor Newsom signed Assembly Bill 361 (AB 361) and Assembly Bill 2449 (AB 2449), which allowed local legislative bodies to continue to conduct meetings via teleconference under specific conditions and requirements.

At the Regular City Council meeting on Monday, February 5, 2024, the City's meeting was disrupted when numerous callers virtually joined the meeting to participate in public comment

sharing racist language and hate speech. This incident is an example of "Zoom bombing," a method used by individuals who disrupt a meeting during public comment held via teleconference. Over the last several months, legislative bodies across the state of California have experienced similar interruptions. While local government agencies have relied upon technologies such as Zoom and telephone to provide accessibility to meetings and to increase public engagement, local government agencies are faced with the decision to continue, discontinue, or use on an as-needed basis to accommodate requests from members of the legislative body to attend meetings from a remote location.

Since the start of the pandemic, the following local government agencies within the Sacramento region have generally discontinued the use of teleconference for City Council meetings:

- City of Citrus Heights
- City of Elk Grove
- City of Folsom
- City of Galt
- City of Rocklin
- City of Roseville
- City of Sacramento
- City of West Sacramento

Before you this evening is a discussion to continue, discontinue, or use on an as-needed basis to facilitate a request from a member of a legislative body for remote meeting participation, the use of teleconferencing for meetings subject to the Brown Act, a public comment period, and a deliberation. Brown Act meetings include a legislative body's regular meetings, special meetings, emergency meetings, and adjourned meetings. While the Brown Act does specify requirements to conduct meetings via teleconference, the decision to use teleconferencing technology is entirely discretionary by the legislative body.

Pre-COVID-19 Public Meeting Model in Accordance with the Brown Act

- Legislative body, public, staff, and others participate in meetings onsite and in-person.
- Public meetings generally convene in the Council Chambers or at another location within the City's jurisdiction.
- Ability for a member of the legislative body to teleconference using audio or video conference software into a meeting from a remote location must be identified in the meeting notice and agenda, the agenda must be posted at the remote meeting location, and the public must have the opportunity to physically attend and participate in the meeting from the remote location.
- Public comments can be received via email or in-person.

Post-COVID-19 Public Meeting Teleconference Model in Accordance with the Brown Act

In addition to the pre-COVID-19 method for a member of the legislative body to participate remotely, there are additional provisions for "emergency" or "just cause" circumstances that allow a member of the legislative body to participate by teleconference without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public.

- Teleconferencing technology may be used for remote participation of a member of the legislative body in alignment with legislative requirements. Until January 1, 2026, teleconferencing may also be used on a limited basis where a member indicates their need to participate remotely for "just cause" (e.g., childcare or a contagious illness) or due to "emergency circumstances" (e.g., a physical or family medical emergency).
- At least a quorum of the legislative body must be present from a location within the City's jurisdiction when hosting a teleconference.
- Public, staff, and others may participate in-person or remotely.
- The agenda must provide the opportunity for the public to address the legislative body.

It is also important to mention that since the start of the COVID-19 pandemic, the City of Rancho Cordova has recorded City Council regular meetings, special meetings, and the report out from closed sessions. More specifically, Metro Cable has recorded regular City Council meetings, which has made it possible for the public to view the live stream of the broadcast from the City's website. City staff has recorded the special meetings, and the report out from closed sessions via Zoom. These recordings have been made available to the public on the City's website within 48 hours of adjournment of the meeting.

FISCAL IMPACT AND FUNDING SOURCE

There is no fiscal impact.

ATTACHMENT(S)

None