



# Agenda Report

January 16, 2025

**TO:** Honorable Mayor and City Council

**FROM:** City Attorney's Office

**SUBJECT:** **ADOPT A RESOLUTION TO ALLOW THE CITY COUNCIL, ALL OF ITS OPERATING COMPANY BOARDS, AND THE PASADENA RENTAL HOUSING BOARD, TO MEET REMOTELY PURSUANT TO THE BROWN ACT**

## **RECOMMENDATION:**

It is recommended that the City Council:

1. Find that the action proposed in the agenda report is not a "project" subject to the California Environmental Quality Act (CEQA) pursuant to California Public Resources Code Section 21065 and within the meaning of CEQA Guidelines Section 15378(b); and
2. Adopt A Resolution of the City Council of the City of Pasadena Authorizing Remote Teleconference Meetings of the City Council, all City operating company boards, and the Pasadena Rental Housing Board, for the period January 17, 2025 through February 12, 2025.

## **BACKGROUND:**

On January 7, 2025, extraordinary windstorm conditions and destructive fires ("Eaton Fire") caused widespread damage to critical infrastructure, structures, and roads throughout the City that prompted evacuation orders. On January 8, 2025, the City Manager issued a Declaration of Local Emergency in accordance with Chapter 2.370 of the Pasadena Municipal Code ("Declaration"). The state of emergency, ratified by the City Council on January 13, 2025, is presently in effect.

At the January 13, 2025 City Council meeting, the City Council determined, in accordance with Government Code section 54953(e)(1), that as a result of the ongoing emergency, meeting in person would present imminent risks to the health or safety of attendees.

Presently, the Eaton Fire is not yet fully contained, and the wildfire smoke and ash are impacting the air quality of the City. Wildfire smoke contains fine particles which are respiratory irritants, and when inhaled deeply, can affect the lungs and the heart. Exposure to high concentrations of fine particles can cause persistent cough, runny nose, phlegm, wheezing, and difficulty breathing. As a result, on January 15, 2025, the City of Pasadena Health Officer issued a Declaration of Local Health Emergency due to the impacts of critical fire events and windstorm conditions.

Government Code section 54953(e)(1) allows a legislative body of a local agency to hold meetings by way of teleconference if the legislative body (1) holds a meeting during a proclaimed state of emergency and (2) has determined, by majority vote, that as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees. Moreover, there are several procedural safeguards to protect public participation during a teleconference meeting, key ones of which are summarized as follows: The public must have the ability to address the legislative body directly, and must be given information on how to address the body. The public must be provided either a call-in or internet-based service option. The body must stop the meeting if the call-in or internet-based option fails. The legislative body cannot require that public comments be submitted in advance (although this option can be provided). Speakers cannot be required to pre-register (except as required by an independent call-in or internet platform). Members of the public must be given a reasonable time to register to provide public comment. Agencies that provide a timed public comment period shall not close the public comment period until that timed period has expired.

Accordingly, if the City Council wishes for itself, all of its operating company boards and the Pasadena Rental Housing Board to be able to meet remotely during the current declared state of emergency, it should adopt a resolution finding that meeting in person would present imminent risks to the health or safety of attendees as a result of the emergency. This resolution would permit meetings pursuant to Government Code section 54953(e)(3) for a maximum period of 30 days, starting from the first day teleconference was used during this emergency. If the Council desires to continue using the teleconference exception beyond that initial 30-day period, it must confirm the circumstances of the state of emergency and make required findings at least 30 days after adoption of that resolution and every 30 days thereafter.

### **ENVIRONMENTAL REVIEW:**

CEQA excludes, from environmental review, actions that are not "projects" as defined by CEQA Guidelines Section 21065 and within the meaning of Section 15378(b). Sections 21065 and 15378(b) define a project as an action which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. Section 15378 excludes from the definition of "project" organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment. The actions proposed herein, to authorize remote meetings, is an administrative activity, and therefore is not a "project" as defined by CEQA. Since the action is not a project subject to CEQA, no environmental document is required.

**FISCAL IMPACT:**

The recommended action will have no immediate fiscal impact.

Respectfully submitted,

  
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MICHELE BEAL BAGNERIS  
City Attorney  
Office of the City Attorney/City Prosecutor

Prepared by:

  
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Arnold F. Lee  
Chief Assistant City Attorney

Concurred by:

  
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MIGUEL MÁRQUEZ  
City Manager

Attachment:

Attachment A – City Council Resolution

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