

(R-94-1696)

RESOLUTION NUMBER R- 284064

ADOPTED ON JUN 20 1994

RESOLUTION AMENDING COUNCIL POLICY  
NO. 000-16 REGARDING OPEN MEETINGS

BE IT RESOLVED, by the Council of The City of San Diego,  
that Council Policy No. 000-16 entitled, "OPEN MEETINGS," be and  
it is hereby amended as set forth in the Council Policy filed in  
the office of the City Clerk as Document No. RR- 284064.

BE IT FURTHER RESOLVED, that the City Clerk is hereby  
instructed to add the aforesaid to the Council Policy Manual.

APPROVED: JOHN W. WITT, City Attorney

By Cristie C McGuire  
Cristie C. McGuire  
Deputy City Attorney

CCM:jrl  
04/29/94  
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BACKGROUND

The Ralph M. Brown Act regulates the conduct of the Legislative body of a local agency, in addition to its commissions, boards, and committees. It is the intent of the law that actions be taken and deliberations conducted openly.

The provisions of the Brown Act are incorporated into Municipal Code Section 22.0101, Permanent Rules of the Council, which governs the actions of the City Council. However, a policy is needed for the various City Boards, commissions, and committees.

PURPOSE

It is the purpose of this policy to reaffirm that the provisions of the Ralph M. Brown Act are to be followed by the various City boards, commissions, and committees. ~~However, this policy shall not apply to any committee of the City Council consisting of four (4) or less councilmembers.~~ This policy applies to standing committees of the City Council, whether or not the committees are made up of a quorum of Councilmembers, if the committees have standing subject matter jurisdiction or a meeting schedule fixed by charter, ordinance, resolution, or formal action of the Council. This policy is not intended to apply to an ad hoc committee made up of less than a quorum of Councilmembers, if the ad hoc committee does not have standing subject matter jurisdiction or does not have a meeting schedule fixed by charter, ordinance, resolution or formal action of the City Council.

POLICY

1. It is the policy of the City Council that all business conducted by City-appointed boards, commissions and corporations, or by committees thereof, be in full view of the public and news media, except for matters dealing with personnel, litigation, or threats to security of public buildings or to access to public services or facilities.
2. It is the policy of the Council that all City-appointed boards, commissions or corporations, and committees thereof, closely adhere to the requirements of the Brown Act and conduct regular meetings only at times previously established by formal action or special meetings upon 24 hours notice to the news media and members.
3. Per requirements of the Brown Act, the subject matter to be considered at regular meetings shall be announced to the public and news media through a written docket posted in a location that is freely accessible to members of the public at least 72 hours prior to such meetings.

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Special meetings shall be announced through a written notice and docket posted at least 24 hours prior to such meetings.

Matters not included on the docket may be discussed upon determination by a majority vote that an emergency situation, as defined in the Brown Act, exists; upon determination by a two-thirds vote, or unanimous vote if less than two-thirds of the members are present, that the need to take action arose subsequent to the docket being posted; or if the item appeared on a properly posted docket for a meeting occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

In the case of an emergency, an emergency meeting may be held without complying with either the 24-hour notice requirement or the 24-posting requirement. As defined in the Ralph M. Brown Act, "emergency situation" means any of the following: (a) work stoppage or other activity which severely impairs public health, safety, or both, as determined by a majority of the members of the legislative body, or (b) crippling disaster which severely impairs public health, safety, or both, as determined by a majority of the members of the legislative body.