

#58  
05/12/26

(O-2026-114)

ORDINANCE NUMBER O- 22090 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 12 2026

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 2,  
DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY  
AMENDING SECTION 22.0101, RELATING TO RULES OF  
THE COUNCIL.

RECITALS

The Council of the City of San Diego (Council) adopts this Ordinance based on the following:

A. San Diego Charter section 14 states that the Council shall determine its own rules and order of business.

B. The Council has adopted permanent Rules of Council (Rules), which are codified in San Diego Municipal Code section 22.0101.

C. The Council desires to amend the Rules to reflect changes to the Ralph M. Brown Act (Brown Act) (California Government Code sections 54950-54963) by Senate Bill 707 (2025-2026 Reg. Sess.), regarding public comment and establishing a policy on disruption of telephonic or internet service. The Council further desires to amend the Rules to remove the costly requirement for a certified court reporter to transcribe closed sessions and instead allow for the recording of closed sessions.

D. The Office of the City Attorney prepared this Ordinance based on the information provided by City staff with the understanding that this information is complete and accurate.

E. Under San Diego Charter section 280(a)(1), this Ordinance is not subject to the Mayor's veto because this matter is exclusively within the Council's purview and does not affect the administrative service of the City under the Mayor's control.

ACTION ITEMS

Be it ordained by the Council of the City of San Diego:

Section 1. Chapter 2, Article 2, Division 1 of the San Diego Municipal Code is amended by amending the Table of Contents, Rule 2, and Rule 8 of section 22.0101, to read as follows:

**§22.0101 Rules of the Council (Rules of Council)**

**Table of Contents**

**Rule 1:** [No change in text.]

**Rule 2: Procedure for Council Meetings**

2.1. through 2.14. [No change in text.]

2.15. Procedure for Disruption of Telephonic or Internet Service

**Rule 3: through Rule 7:** [No change in text.]

**Rule 8: Noticing and Conduct of Closed Sessions**

8.1. through 8.3. [No change in text.]

8.4. Recording of Closed Sessions

8.5. through 8.6. [No change in text.]

**Rule 9: through Rule 11:** [No change in text.]

**Rule 1:** [No change in text.]

**Rule 2: PROCEDURE FOR COUNCIL MEETINGS**

**2.1. through 2.5.** [No change in text.]

**2.6. Public Comment on Information and Adoption Agenda Items**

Members of the public shall be given the opportunity to address the Council on agenda items. The Council President may

determine the number of speakers on an agenda item or reduce the amount of time available to each speaker to appropriately manage the meeting and ensure the Council has time to consider all the agenda items. A member of the public may only provide one comment per agenda item.

**2.6.1. In-Person Comment on Agenda Items**

(a) through (b) [No change in text.]

(c) Each speaker may speak up to three minutes.

Speakers may group themselves into an organized presentation before the date of the meeting as provided in the procedures for public comment on the meeting agenda. Members of an organized group may speak up to the time allocated to the group based on the number of group members present at the meeting, with a maximum time of 15 minutes.

**2.6.2. Virtual Public Comment on Agenda Items**

In addition to observing and participating in Council meetings at Council Chambers in accordance with Rule 2.6.1, members of the public may participate virtually (by telephone or internet streaming) as indicated on the meeting agenda. Virtual public comment will be accepted

by the City Clerk as provided in the procedures for public comment for the meeting posted with the meeting agenda.

(a) [No change in text.]

(b) Each speaker may speak up to three minutes.

Speakers may group themselves into an organized presentation before the date of the meeting as provided in the procedures for public comment on the meeting agenda. Members of an organized group may speak up to the time allocated to the group based on the number of group members participating virtually at the meeting, with a maximum time of 15 minutes.

**2.6.3.** [No change in text.]

**2.7. Non-Agenda Public Comment**

**2.7.1.** [No change in text.]

**2.7.2:** In order to ensure that the Council has time to consider all agenda items, Non-Agenda Public Comment on particular issues and for each individual speaker will be as follows:

(a) Each speaker will be limited to two minutes.

Speakers may not allocate their time to other speakers. If there are eight or more speakers on a single issue, the maximum time for the issue will be 16 minutes for in-person public comment and

16 minutes for virtual public comment. The order of speaking generally will be determined on a first-come, first-served basis, however, priority may be given to speakers who have not addressed the legislative body during Non-Agenda Public Comment at the last regularly scheduled Council meeting. A member of the public may only provide one non-agenda comment per agenda.

(b) through (c) [No change in text.]

**2.7.3. through 2.7.4.** [No change in text.]

**2.8. through 2.14.** [No change in text.]

**2.15. Procedure for Disruption of Telephonic or Internet Service**

- (a) If a disruption to telephonic or internet service occurs before or during an open session meeting, the City shall make good faith efforts to restore service before convening or reconvening the meeting.
  - (1) If the disruption occurs before an open session meeting and continues at the noticed time for the meeting to begin, the Council shall not convene the meeting until one hour after the time the disruption was discovered or until service is restored, whichever is earlier.

- (2) If the disruption begins during an open session meeting, the Council shall recess the meeting for one hour or until service is restored, whichever is earlier.
- (3) Good faith efforts to restore telephonic or internet service shall be made, which may include the following:
  - (A) troubleshooting platform or teleconferencing software;
  - (B) resetting or replacing audiovisual equipment;
  - (C) attempting alternative connection methods;
  - (D) contacting necessary support staff or service providers; and
  - (E) switching to back-up equipment or platforms, if available.
- (4) Any efforts taken to restore telephonic or internet service shall be documented by the City Clerk or stated on the record.
- (5) If after one hour, service is not restored, the Council may proceed as follows:
  - (A) adjourn the open session meeting; or
  - (B) continue the open session meeting by adopting, by roll call vote, a finding that

good faith efforts to restore telephonic or internet service were made in compliance with Rule 2.15 and that the public interest in continuing the meeting outweighs the public interest in remote public access. Upon adoption of the finding, the open session meeting may continue.

- (b) If a disruption to telephonic or internet service occurs before or during a closed session meeting, the Council may convene or continue in closed session without recess.

**Rule 3: through Rule 7:** [No change in text.]

**Rule 8: NOTICING AND CONDUCT OF CLOSED SESSION**

The Council may impose upon itself requirements which allow greater access to its meetings than prescribed by the minimum legal standards set forth in the California Open Meeting Law, commonly known as “the Brown Act” (California Government Code sections 54950-54963).

**8.1. through 8.3.** [No change in text.]

**8.4. Recording of Closed Sessions**

All closed sessions, except those related to personnel matters, shall be recorded.

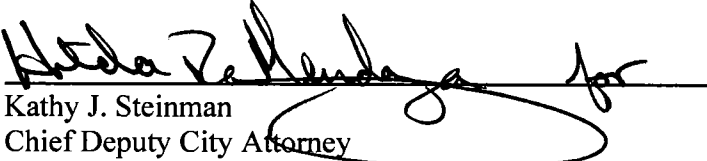
**8.5. through 8.6.** [No change in text.]

**Rule 9: through Rule 11:** [No change in text.]

Section 2. The Council dispenses with a full reading of this Ordinance before its passage because a written copy of this Ordinance was made available to the Council and the public before the date of its passage.

Section 3. This Ordinance will take effect and be in force on July 1, 2026, but in no event earlier than the thirtieth day from and after its final passage.


APPROVED: HEATHER FERBERT, City Attorney

By   
Kathy J. Steinman  
Chief Deputy City Attorney

KJS:HRM;jvg  
March 11, 2026  
Or.Dept: Council District 1  
Doc. No. 4388236

I certify that the Council of the City of San Diego adopted this Ordinance at a meeting held on MAY 12 2026.

DIANA J.S. FUENTES  
City Clerk

By   
Deputy City Clerk

**STRIKEOUT ORDINANCE**

**OLD LANGUAGE: ~~Struck Out~~**

**NEW LANGUAGE: Double Underline**

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**§22.0101 Rules of the Council (Rules of Council)**

**Table of Contents**

**Rule 1:** [No change in text.]

**Rule 2: Procedure for Council Meetings**

2.1. through 2.14. [No change in text.]

2.15. Procedure for Disruption of Telephonic or Internet Service

**Rule 3: through Rule 7:** [No change in text.]

**Rule 8: Noticing and Conduct of Closed Sessions**

8.1. through 8.3. [No change in text.]

8.4. ~~Transcription~~ Recording of Closed Sessions

8.5. through 8.6. [No change in text.]

**Rule 9: through Rule 11:** [No change in text.]

**Rule 1:** [No change in text.]

**Rule 2: PROCEDURE FOR COUNCIL MEETINGS**

**2.1. through 2.5.** [No change in text.]

**2.6. Public Comment on Information and Adoption Agenda Items**

Members of the public shall be given the opportunity to address the Council on agenda items. The Council President may determine the number of speakers on an agenda item or reduce the amount of time available to each speaker to appropriately manage the meeting and ensure the Council has time to consider all the agenda items. A member of the public may only provide one comment per agenda item.

**2.6.1. In-Person Comment on Agenda Items**

(a) through (b) [No change in text.]

(c) Each speaker may speak up to three minutes ~~in addition to any time ceded by other members of the public who are present at the meeting and have submitted a speaker slip. The Council President may also limit organized group presentations of five or more persons to 15 minutes or less.~~ Speakers may group themselves into an organized presentation before the date of the meeting as provided in the procedures for public comment on the meeting agenda. Members of an organized

group may speak up to the time allocated to the group based on the number of group members present at the meeting, with a maximum time of 15 minutes.

#### **2.6.2. Virtual Public Comment on Agenda Items**

In addition to observing and participating in Council meetings at Council Chambers in accordance with Rule 2.6.1, members of the public may participate virtually (by telephone or internet streaming) as indicated on the meeting agenda. Virtual public comment will be accepted by the City Clerk as provided in the procedures for public comment for the meeting posted with the meeting agenda.

(a) [No change in text.]

(b) Each speaker may speak up to three minutes.

~~Speakers participating virtually may not allocate their time to other speakers.~~ Speakers may group themselves into an organized presentation before the date of the meeting as provided in the procedures for public comment on the meeting agenda. Members of an organized group may speak up to the time allocated to the group based on the number of group members participating virtually at the meeting, with a maximum time of 15 minutes.

2.6.3. [No change in text.]

**2.7. Non-Agenda Public Comment**

2.7.1. [No change in text.]

2.7.2. In order to ensure that the Council has time to consider all agenda items, Non-Agenda Public Comment on particular issues and for each individual speaker will be as follows:

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(b) through (c) [No change in text.]

2.7.3. through 2.7.4. [No change in text.]

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(1) If the disruption occurs before an open session meeting and continues at the noticed time for the meeting to begin, the Council shall not convene the meeting until one hour after the time the disruption was discovered or until service is restored, whichever is earlier.

(2) If the disruption begins during an open session meeting, the Council shall recess the meeting for one hour or until service is restored, whichever is earlier.

(3) Good faith efforts to restore telephonic or internet service shall be made, which may include the following:

(A) troubleshooting platform or teleconferencing software;

(B) resetting or replacing audiovisual equipment;

(C) attempting alternative connection methods;

(D) contacting necessary support staff or service providers; and

(E) switching to back-up equipment or platforms, if available.

(4) Any efforts taken to restore telephonic or internet service shall be documented by the City Clerk or stated on the record.

(5) If after one hour, service is not restored, the Council may proceed as follows:

(A) adjourn the open session meeting; or

(B) continue the open session meeting by adopting, by roll call vote, a finding that good faith efforts to restore telephonic or internet service were made in compliance with Rule 2.15 and that the public interest in continuing the meeting outweighs the public interest in remote public access. Upon adoption of the finding, the open session meeting may continue.

(b) If a disruption to telephonic or internet service occurs before or during a closed session meeting, the Council may convene or continue in closed session without recess.

**Rule 3: through Rule 7:** [No change in text.]

**Rule 8: NOTICING AND CONDUCT OF CLOSED SESSION**

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**8.1. through 8.3.** [No change in text.]

**8.4. ~~Transcription~~ Recording of Closed Sessions**

All closed sessions, except those related to personnel matters, shall be ~~transcribed by a court certified reporter~~ recorded. All transcripts shall be retained.

**8.5. through 8.6.** [No change in text.]

**Rule 9: through Rule 11:** [No change in text.]

KJS:HRM;jvg  
March 11, 2026  
Or.Dept: Council District 1  
Doc. No. 4388235

Passed by the Council of The City of San Diego on May 12, 2026, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 12 2026

AUTHENTICATED BY: TODD GLORIA  
Mayor of The City of San Diego, California.

(Seal) DIANA J.S. FUENTES  
City Clerk of The City of San Diego, California.

By [Signature], Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on APR 14 2026, and on MAY 12 2026.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal) DIANA J.S. FUENTES  
City Clerk of The City of San Diego, California.

By [Signature], Deputy

Office of the City Clerk, San Diego, California  
Ordinance Number **O-22090**