

MEMORANDUM OF LAW

DATE: April 25, 1996

TO: Dick Wilken, Deputy Director, Information Technology and
Communications

FROM: City Attorney

SUBJECT: City's Home Page

By memorandum dated February 20, 1996, you have asked the City Attorney for advice regarding the City Council's activity on the City's World Wide Web Home Page. You have asked specifically for advice as to the application of the Ralph M. Brown Act (the California Open Meetings Law), the Public Records Act, and the state's campaign and election laws to assist you in the development of guidelines for elected officials' use of the City's Web Home Page. Many of your questions have arisen because the Chief of Staff for Councilmember Wear has asked whether the Councilmember may communicate by E-mail with constituents of his district and whether he may publish his policy statements and voting record on "hot" issues on the City's Home Page.

In response to your request, I asked Senior Legal Intern Angela K. Stewart to research the several questions presented. The results of her

research are attached. I have read and approve her research. As Ms. Stewart suggests in her concluding remarks, I ask that you submit the guidelines you develop to the City Attorney for review, before the guidelines go into effect.

JOHN W. WITT, City Attorney

By
Cristie C. McGuire
Deputy City Attorney

CCM:jrl:011(x043.2)
Attachment
ML-96-23