



**CITY OF LOS ALTOS
CITY COUNCIL MEETING
May 12, 2015**

CONSENT CALENDAR

Agenda Item # 11

SUBJECT: Adopt Resolution No. 2015-09, affirming the City's commitment to the Brown Act for certain City created advisory subcommittees

BACKGROUND

There have been recent discussions regarding certain City advisory subcommittees and/or ad hoc committees. This Resolution affirms the City's commitment to the Brown Act for certain City-created advisory subcommittees.

EXISTING POLICY

None

PREVIOUS COUNCIL CONSIDERATION

None

DISCUSSION

The attached Resolution does not change or modify the existing law that City-created advisory subcommittees and/or ad hoc committees that are composed solely of less than a quorum of a legislative body are not subject to the Brown Act. This Resolution clarifies that certain advisory subcommittees and/or ad hoc committees created by the City Council or a City Commission that have members of the public and/or other City Commissions on them will also comply with the Brown Act. This includes members of a City legislative body meeting with members of another agency's legislative body when a new committee is created. This Resolution does not change or modify the existing law governing City standing committees. The City Attorney and City Clerk should be contacted regarding any questions or training concerning the Brown Act.

The Brown Act contains many specific requirements to ensure that meetings are open and accessible to the public. The Brown Act generally requires that:

1. An agenda is posted at least 72 hours before regular meetings.
2. The agenda must contain "a brief general description of each item of business to be transacted or discussed at the meeting...."
3. The public may comment at each of the meetings.
4. Minutes are taken of motions, votes and actions taken and that they are made available for public review.
5. There may be no communications or discussions, or a series of communications or discussions (serial meetings), among members of a quorum of the legislative body on any item of business that is within the subject matter jurisdiction of the City.

PUBLIC CONTACT

Posting of the meeting agenda serves as notice to the general public.

FISCAL/RESOURCE IMPACT

None

ENVIRONMENTAL REVIEW

Exempt per CEQA Guidelines Section 15061(b)(3)

RECOMMENDATION

Adopt Resolution No. 2015-09, affirming the City's commitment to the Brown Act for certain City created advisory subcommittees

ALTERNATIVES

Not applicable

Prepared by: Jolie Houston, City Attorney

ATTACHMENT(S):

1. Resolution No. 2015-09

RESOLUTION NO. 2015-09

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
AFFIRMING THE CITY'S COMMITMENT TO THE BROWN ACT FOR
CERTAIN CITY CREATED ADVISORY SUBCOMMITTEES**

WHEREAS, in 1953 the Ralph M. Brown Act (the Brown act), the State of California's open meeting law, was signed into law; and

WHEREAS, the City of Los Altos City Council conducts its business adhering to the provisions of the Brown Act; and

WHEREAS, the City Council is committed to open and transparent government operations; and

WHEREAS, in January 2015 the City Council adopted a "POLICY OF THE CITY OF LOS ALTOS REGARDING OPENNESS IN CITY GOVERNMENT"; and

WHEREAS, said policy states that "All meetings of City policy bodies (City Council, Commissions, and Committees) shall be open and public, and governed by the provisions of the Ralph M. Brown Act (Government Code Sections 54950 et. seq.). The Brown Act serves as a floor, not a ceiling, for transparency and openness. Policies are provided here that go beyond the minimum requirements of law to instill public confidence and increase transparency"; and

WHEREAS, the City Council adopts this Resolution to require certain advisory subcommittees and/or ad hoc committees of the City to be more open and accessible to the public; and

WHEREAS, this Resolution is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended.

NOW THEREFORE, BE IT RESOLVED THAT:

The City requires that all advisory subcommittees and/or ad hoc committees created by the City Council or any City Commission will comply with the Brown Act as follows:

1. City advisory subcommittees and/or ad hoc committees created by the City Council or a City Commission that are composed solely of less than a quorum of the body will continue to be ad hoc in nature and shall not be subject to the Brown Act.
2. Certain City advisory subcommittees and/or ad hoc committees created by the City Council or a City Commission and/or other legislative bodies that are composed of less than a quorum of the body and have members of other City Commissions and/or members of the public on the committee shall comply with the Brown Act meeting requirements.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 12th day of May, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Janis C. Pepper, MAYOR

Attest:

Jon Maginot, CMC, CITY CLERK