



Downtown Community Task Force

Item 3. Brown Act / PRA Follow-Up

October 15, 2020



Ralph M. Brown Act

- Applies to *legislative bodies*
- Requires meetings to be *open & public*
- Agendas must be posted in advance
- No discussion of non-agenda items at meetings
- Members of the public must be able to participate



Ralph M. Brown Act

- Serial meetings are prohibited.
- Quorum = 5 members
- Exceptions for ceremonial, educational events; meetings of other legislative bodies
- Limitations on social media.





Political Reform Act

- *Does not apply* to the DCTF
- PRA expressly inapplicable to “a committee, board, commission, group, or other body that does not have decisionmaking authority”
- DCTF Members can work, own property, have sources of income within the downtown area
- No need to complete Form 700 (“SEI”)



Committees



Scenario #1



- 4 task force members walk into a coffee shop...



Scenario #2



City of Santa Clara Meeting Agenda Downtown Community Task Force

Thursday, October 15, 2020 6:00 PM Virtual Meeting

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, to prevent the spread of COVID-19, the City of Santa Clara has implemented the following method for the public to participate remotely:

- Via Zoom:
 - o <https://santaclaraca.zoom.us/j/91975789377>
 - o Meeting ID: 919 7578 9377 or
 - o Phone: 1(669) 900-6833

CALL TO ORDER AND ROLL CALL

CONSENT CALENDAR

- 1.A 20-973 [Downtown Community Task Force \(DCTF\) Meeting Minutes of the September 24, 2020 Meeting.](#)

Recommendation: Approve the DCTF Meeting Minutes of the September 24, 2020 Meeting

GENERAL BUSINESS

2. 20-975 [Review and Discussion of the community feedback from the May/June 2020 online survey and meeting-out-of-the-box outreach efforts](#)

Recommendation: There is no staff recommendation.

3. 20-1009 [Question and Answer \(Q & A\) session on the Brown Act](#)

4. 20-976 [Election of a Downtown Community Task Force Chair and Vice](#)





“Legislative Bodies”

- The main governing body: City Council
- Commissions, committees, boards, & other bodies created by formal action of a legislative body
 - Both decision-making and advisory
 - Both permanent and temporary

Gov't Code § 54952(a), (b).



Ad Hoc Subcommittees

Exception to the definition of “legislative body”:

- “advisory committees, composed solely of the members of the legislative body that are less than a quorum of the legislative body are *not* legislative bodies”

Gov’t Code § 54952 (b).



Standing Subcommittees

- “. . . except that standing committees of a legislative body, irrespective of their composition, which have a continuing subject matter jurisdiction, or a meeting schedule fixed by . . . formal action . . . *are* legislative bodies”

Gov't Code § 54952 (b).



Standing Subcommittees

Included in the definition of “legislative body”:

- of any size (even less than a quorum), and
- either
 - continuing subject matter jurisdiction, or
 - meeting schedule fixed by formal action

Gov't Code § 54952 (b).



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Santa Clara**
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Scenarios #3 & 4



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Questions



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