

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/i/91975789377 Meeting ID: 919 7578 9377 or
- o Phone: 1(669) 900-6833

CALL TO ORDER AND ROLL CALL

CONSENT CALENDAR

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

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.

20-1009 Question and Answer (Q & A) session on the Brown Act

20-976 Flection 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 <u>standing committees</u> 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

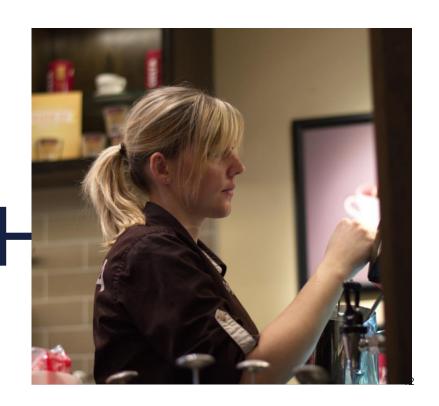
Included in the definition of "legislative body":

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



Scenarios #3 & 4







Questions

