



SUNSHINE ORDINANCE URGENCY

City Clerk
City Attorney

City Council
August 4, 2020

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1

BACKGROUND

- Ordinance No. 7509 amended the Sunshine Ordinance's excuse of the 12-day noticing requirements for elected officials placing an item on the agenda.
- Signatures of elected officials increased from two to three and documentation of why the action is urgent must be included in the written report.



2

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2

BACKGROUND

- The City Council referred the matter to the City Council Governmental Affairs Committee, now the Inclusiveness, Community Engagement, and Governmental Processes Committee, for further definition of “urgency.”
- The Inclusiveness, Community Engagement, and Governmental Processes Committee heard the matter at its July 1, 2020, meeting.



3

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3

COMMITTEE ACTION

- The Committee agreed with staff that “urgency” was a political judgement to be made by the City Council.
- To address this concern, staff recommended amending the Sunshine Ordinance to provide that prior to consideration of the added agenda item, **five affirmative votes for a full quorum and four affirmative votes for less than a full quorum** would be required agreeing the matter meets the “urgency” test.



4

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4

COMMITTEE ACTION

- The Committee also recommended the following clean up items to the Sunshine Ordinance:
 1. Amend Section 4.05.060(F) to provide that the Mayor or a majority of members of the City Council may call a special meeting with less than five days' notice in conformance with the Brown Act;
 2. Amend Section 4.05.050(B)(4) to correct a typographical error by removing the final word "time";



5

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5

COMMITTEE ACTION

3. Amend Section 4.05.050(D)(4) to extend the ability to excuse Sunshine Notice requirements to all local bodies for items continued from a prior regularly noticed meeting; and
4. Amend Section 4.05.060(G) to incorporate provisions for adding items and materials to special meeting agendas similar to regular meetings.



6

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6

RECOMMENDATIONS

That the City Council adopt the Ordinance making the changes to Title 4 detailed in the Council Report.



7

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