



## CITY OF CARSON

## POLICY/PROCEDURE

NUMBER: 1:45

ORIGINAL ISSUE:

2/05/92

EFFECTIVE:

2/5/92

SUBJECT

MEETINGS CONVENED BY LESS THAN A QUORUM OF THE CITY COUNCIL AND USE OF CITY STAFF RESOURCES, OR FREE USE OF FACILITIES FOR THE SAME

CURRENT ISSUE:

~~4/2/13~~ 24/47/23

EFFECTIVE:

~~4/2/13~~ 24/47/23

CATEGORY

I. CITY COUNCIL POLICY

SUPERSEDES

Prior versions of this SMP (2/5/92, 1/19/10, 2/21/12, 4/2/13)**I. PURPOSE AND SCOPE**

To establish operational guidelines and procedures regarding the holding of committee, task force, town hall style, community, or other collective gatherings with constituents, which may consist of: (1) Council members solely, or (2) Council members, other elected officials, and/or members of the public. This policy shall not affect City commissions, committees, or boards created by formal Council action or by ordinance and meetings called therefore in compliance with the Brown Act.

**II. GENERAL****Committees Created by City Council Action**

- A. Creation of committees. There are two types of City Council committees recognized by the City: standing committees and ad hoc committees. No City Council committee may consist of more than two members of the Council, although the Council may designate as members of the committee other elected officials and citizens of Carson. All committee members shall be appointed by the Mayor and subject to formal approval by a majority of Councilmembers present and voting at a properly noticed and agendized public meeting.
- B. Standing committee. A standing committee is one created for an indefinite time period or to address general subjects. Generally, any committee created that does not clearly qualify as an *ad hoc* committee will be a standing committee.
- C. Ad hoc committee. An *ad hoc* committee is one created for a limited period to address a specific subject or issue of a temporary nature.
- D. Brown Act. All standing committees and ad hoc committees shall comply with all provisions of the Brown Act, except that an ad hoc committee comprised solely of two Council members and no other persons are exempted, in accordance with State law.
- E. No exceptions. There are no exceptions to this SMP. All bodies created by formal City Council action which include one or more Council members, whether called a committee,

taskforce, special committee, advisory committee, or any other name, shall be considered either a standing committee or *ad hoc* committee for purposes of this SMP.

F. Advisory Groups Not Created by City Council Action and Group, Community, or Town Hall Style Meetings Not Called or Convened in Compliance With the Brown Act. Except as otherwise provided in II(G), below, aAn Individual Councilmember, or two Council members together (but not three or more Council members) may create an informational advisory or other group to discuss City or non-City issues, and may convene town hall style, community, or other collective gatherings, **provided, however**, that the same are subject to the following two rules:

- (1) No City staff, other City resources, or free use of City facilities may be utilized to schedule, invite attendees, receive or process RSVP's, advertise, promote, or convene the same, and no City staff shall attend the same in their official capacity. Use of a Council member's own City Hall office or the City Hall Executive Conference Room (if available) to hold a meeting shall not constitute use of City resources.
- (2) The informational advisory or other group, town hall style meeting, community meeting, or other collective gathering may not suggest or imply it is in any way an official committee or group recognized by the City. (For example, "Carson Council Task Force for the Environment" would be prohibited, but "Council member Jones' Task Force for the Environment" would be permitted because it does not imply it is a City-sanctioned event.)

G. Advisory Groups Created by City Council Action and Group, Community, or Town Hall Style Meetings Held by Council Members; Requirements for Use of City Resources Called and Convened in Compliance with the Brown Act. A Council member who wishes to hold an informational advisory or other group, town hall style meeting, community meeting, or other collective gathering open to the public may use City staff, other City resources, or free use of City facilities to schedule, invite attendees, receive or process RSVP's, advertise, promote, or convene the same **provided, however**, that the following requirements are met:

- (1) The meeting or gathering takes place within the boundaries of the Council member's district, except for the Mayor, who may hold such meetings anywhere within the City;
- (2) The meeting or gathering is directly related to the Council member's City governmental duties and is not for campaign activity, which includes any political activity in favor of, or against, any elective office or ballot measure at the local, state, or federal level;
- (3) The Council member notifies the City Manager of the meeting or gathering in advance. Upon receiving such notice, the City Manager shall prepare a report to be placed on the Consent Calendar of an upcoming City Council meeting as a receive and file update, which report shall include the location, date, time, and subject matter of the meeting or gathering; and
- (4) A specific budget allocation related to City funding of such meetings or gatherings, including with respect to the direct and indirect cost of all staff time spent and all City facilities and other resources used, has been made by action of the City Council for the relevant fiscal year, and the cost (direct and indirect) of such meeting or gathering remains within and in all respects complies with the budget allocation.

~~the same are called by official order of the Mayor, or in the absence of the Mayor by the Mayor Pro Tem, or by a majority of the Council, pursuant to Carson Municipal Code § 2403(b), and is noticed and agendized in full compliance with the Brown Act. The use of City resources, if any, for such a meeting called by official procedure is within the City Manager's discretion.~~

~~G.H. Except as noted in II(G), above, informational advisory or other group, town hall style meetings, community meetings, or other collective gatherings described in II(G), above, are not required to comply with the Brown Act unless more than two Councilmembers (inclusive of the Mayor) are present, in accordance with unless otherwise required by State law.~~

H.I. Nothing in this Section should be construed to limit the ability of any member of the Council to call or attend any meeting(s) with constituents when no City resources are used.

### III. PROCEDURE

The following applies to committees created by formal action or meetings approved by the Council. It does not apply to informational advisory or other group, town hall style meetings, community meetings, or other collective gatherings held by one or two Council members together, described in Section II(F), above, where no City resources shall be used, nor to meetings or gatherings meeting the requirements of Section II(G), above.

#### Meetings

- A. The meeting dates/times will be organized by the Department Director or senior staff member assigned to the committee.
- B. Meeting dates/times will be arranged to accommodate the schedules of the Council member(s) appointed to the committee.
- C. Meeting dates/times and agendas may be scheduled on short notice provided all formal posting and notification requirements of the Brown Act are met, unless the committee is not subject to the Brown Act (see Section II (D), Brown Act).

#### Committee Agenda Items

- A. Any member of a City Council committee and/or the City Manager may place items on the agenda for consideration by a City Council committee.
- B. Agenda preparation will be completed by the Department Director or senior staff member assigned to the committee and copies will be distributed to the full Council.

#### Staff Support to Committees

- A. Department Directors or senior staff members will be assigned to the various committees according to specific subject matters at the direction of the City Manager.
- B. The meetings of standing committees shall be recorded on tape and germane minutes taken by the Department Director or senior staff member to the committee. Tapes will not be transcribed unless requested by a Council member or otherwise necessary for conducting City business. Council member requests for verbatim transcription of items

considered by any committee will be requested through an item on the City Council agenda.

- C. Approved minutes of standing committees shall be kept on file in the City Clerk's office for five years.

#### Advertisement and promotion of meetings

If there is any advertisement or promotion of the meeting, including production of flyers, mailers handouts, press releases, emails, etc., staff shall follow ~~SMP 1.56 (COUNCIL COMMUNICATIONS, FLYERS, HANDOUTS AND OTHER PRINTED MATERIAL)~~ applicable state laws and regulations and applicable City policies including SMP 1.55 (CITY COUNCIL REQUESTS FOR ISSUANCE OF A PRESS RELEASE).

#### Reports and/or Recommendations to Council/Agency

- A. As soon as practical following each standing committee meeting, the Department Director or senior staff member will complete an agenda disposition, noting any decisions or recommendations, and forward this disposition to all Council members and others as appropriate. Committee agenda dispositions for each committee held during the previous two weeks will be placed on the City Council agenda (consent) following each meeting.
- B. If a formal report to the Council/Agency is required, and/or if further action is needed by the Council/Agency, then the Department Director or senior staff member will prepare an appropriate agenda item.

#### **IV. EXCEPTION**

There shall be no exceptions to this policy except through direct instructions of the City Council at a public meeting in compliance with all notice and agenda requirements of the Brown Act.

#### **V. AUTHORITY**

Per City Council action, dated ~~January~~February 17, 2023, ~~April 2, 2013~~, Item No. ~~XX~~ 23.

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**David C. Biggs**

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**Roberts, Jr.**

Date \_\_\_\_\_  
**City Manager**