



Legislation Text

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Report to Mayor and City Council

Tuesday, February 21, 2023

Discussion

SUBJECT:

CONSIDER APPROVING A REVISED COUNCIL POLICY NO. 1.45, RELATED TO RESTRICTIONS ON DISTRICT COUNCILMEMBER EVENTS INCLUDING TOWN HALL MEETINGS AT PUBLIC EXPENSE (CITY COUNCIL)

I. SUMMARY

This item is being reintroduced from the February 7, 2023, City Council meeting and is on the agenda at the request of Mayor Davis-Holmes. At the February 7 meeting, the City Council discussed and considered allocating a budget for District Town Halls to be held at City properties within each District such as City Parks and directed staff to research how other cities address District Town Halls. Staff inquired with the cities of Long Beach, Compton, and Inglewood.

As of this writing, staff received feedback from Inglewood, but not the other cities, indicating that City Councilmembers have a budget but not allocated specifically for District Town Halls. Councilmembers typically have District Town Halls at private residences, churches, and vacant storefronts. Staff will provide further updates from other cities as they are received.

The City's current rules surrounding Councilmembers' authority to District Events including Town Hall meetings using City funds are out of date, particularly in light of the City's switch to Council districts and the need for Council members to conduct town hall meetings to discuss matters of City governance with their constituents. To address these issues, approval of the recommendation for this item would do the following:

(1) Adopt a revised version of CP No. 1.45 ("Meetings Convened by Less than a Quorum of the City Council and Use of City Staff Resources, of Free Use of City Facilities for the Same").

II. RECOMMENDATION

TAKE all of the following actions:

1. APPROVE the Revised CP No. 1.45 attached as Exhibit No. 2.

III. ALTERNATIVES

TAKE any other action the City Council deems appropriate that is consistent with the requirements of the law.

IV. BACKGROUND

Current City Rules re: Town Hall Meetings

CP 1.45 provides that group, community, or town hall style meetings not called or convened in compliance with the Brown Act are subject to the following two rules:

(1) No City staff or other City resources may be used, except use of a Councilmember's own City Hall office or the City Hall Executive Conference room 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.

CP 1.45 then provides that 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 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) (Special Meetings), and is noticed and agendized in full compliance with the Brown Act. The policy also states that the use of City resources, if any, for such a meeting called by official procedure is within the City Manager's discretion.

Effect of Proposed Action re: Town Hall Meetings

The proposed revisions to CP 1.45 (Exhibit No. 1) would allow District Events including District Town Hall style meetings to be held by each District Councilmember, without the need for each such meeting to be called and convened in compliance with the Brown Act (unless more than two Councilmembers are present or the meeting is otherwise subject to Brown Act compliance under state law), provided 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; and

(3) A specific budget allocation related to City funding of such meetings or gatherings has been made by action of the City Council for the relevant fiscal year, and the cost of such meeting or gathering remains within and in all respects complies with the budget allocation.”

This action would facilitate Councilmembers’ ability to hold District Events including District Town Hall style meetings with their constituents for legitimate City business purposes in compliance with state law, rather than also having to adhere to the City policies that go further than state law requirements. A City budget allocation would need to be made each fiscal year for such events and each Councilmember would be required to remain within his or her budget allocation with respect to all gatherings held by him or her for the relevant fiscal year. Adherence to such budgetary constraints would also operate as a limit on the number of meetings that could be held, rather than specifying a numerical limit in the policy.

V. FISCAL IMPACT

There would be no direct fiscal impact associated with the recommended action regarding town hall meetings, as a budget item to provide City funding for such meetings would need to be approved separately on a fiscal year-by-fiscal year basis.

VI. EXHIBITS

1. SMP 1.45 (redline) (pgs. 4 - 7)
2. SMP 1.45 (clean, proposed) (pgs. 8 - 11)

Prepared by: City Attorney's Office and City Manager's Office