RESOLUTION NO. 2012-51

A RESOLUTION OF THE ALBANY CITY COUNCIL REAFFIRMING THE CITY’S COMMITMENT TO OPEN GOVERNMENT AND COMPLIANCE WITH THE RALPH M. BROWN ACT

WHEREAS, in 1953 the League of California Cities collaborated with the California Newspaper Publishers Association and Assembly Member Ralph M. Brown to draft and secure the passage of the state’s local government open meetings act, now known as the Brown Act; and

WHEREAS, the State of California faces historic budget deficits requiring deep cuts in public programs, services, and state-mandated programs carried out by local governments; and

WHEREAS, the State Legislature recently passed AB 1464, a budget trailer bill signed into law on June 27, 2012, which contains a schedule of state mandates that are being suspended during the 2012-2013 budget year, including the Brown Act; and

WHEREAS, Senate Bill 1006, which was enacted the same day as AB 1464, amended Section 17581 of the Government Code, extending the period of suspension for said state mandates through fiscal year 2014-2015; and

WHEREAS, a number of these suspensions relieve local governments of the strict legal requirement to carry out previously mandated programs, including certain public noticing provisions of the Brown Act; and

WHEREAS, the Brown Act, found at California Government Code section 54950, et seq., requires open and publicized meetings of government and advisory bodies
WHEREAS, the City of Albany has long recognized the critical importance of providing open and transparent government by conducting timely noticing of public meetings and adhering to open government laws;

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council hereby reaffirms that the Council, its appointed Committees, City Boards and Commissions, and other City government entities that are currently required to comply with the Brown Act are directed to continue to do so, regardless of the suspension of related mandates by the State of California.

BE IT FURTHER RESOLVED, that the Albany City Council reaffirms its commitment to maintain compliance with the Brown Act to ensure the actions of City government are open and transparent.

BE IT FURTHER RESOLVED, that the City's voluntary compliance with the suspended provisions of the Brown Act shall not be construed to grant any rights or remedies related to any claim of non-compliance with suspended provisions of the Brown Act.

Mayor Farid Javandel
RESOLUTION NO. 2012-51

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

The 4th day of September, 2012, by the following votes:

AYES: Council Members Lieber Wile, Thomsen, Vice Mayor Atkinson and Mayor Jawandel

NOES:

ABSENT:

ABSTAINED:

RECUSED:


/Eileen Harrington/

Eileen Harrington
DEPUTY CITY CLERK