

Amendment to Resolution No. 90-22 Adopting Rules of Procedure for Council Meetings and Related Functions and Activities for the City of Canyon Lake

Following through on recommendations from a strategic planning session held last year, the City of Canyon Lake has updated guidelines for the City Council to ensure it continues to conduct its business in an orderly, consistent and fair manner.

The updated rules are designed to facilitate public participation in city council and committee proceedings, assure procedural fairness during meetings and hearings, and satisfy the requirements of the Ralph M. Brown Act, which was enacted in 1953 by the California Legislature in an effort to safeguard the public's ability to obtain access to and participate in local government meetings and deliberations.

The new resolution by the Canyon Lake City Council updates a document that was first created in 1992. In the words of City Attorney Elizabeth Martyn, it should have been freshened up a long time ago.

"It contained a lot of obsolete references," she explained. "It was just time to update it."

Throughout California's history, local legislative bodies have played a vital role in bringing participatory democracy to the citizens of the state. Local legislative bodies - such as boards, councils and commissions - are created in recognition of the fact that several minds are better than one, and that through debate and discussion, the best ideas will emerge.

The Brown Act was first enacted in response to mounting public concerns over informal, undisclosed meetings held by local elected officials.

The law which guarantees the public's right to attend and participate in meetings of local legislative bodies, also recognizes the need, under limited circumstances, for these bodies to meet in private in order to carry out their responsibilities in the best interests of the public.

Over the years, the original 686-word statute has expanded to reflect changing situations and society.

The latest revisions in Canyon Lake reflect the reality of current law and recommendations that came out of a city strategic planning session held in December 2008, Martyn said.

The new guidelines forbid elected officials in Canyon Lake from using city property. i.e. seals and logo, or title for personal gain and creating the appearance of supporting a position not held by the entire council. The guidelines also prohibit a council member from requesting city staff to prepare a "significant" study or report without the approval of the city council.

Among other things, city council members felt it was important to follow parliamentary procedure, communicate openly, be transparent, give the public access to what is going on and adhere to the Brown Act.

In keeping with the consensus council recommendations, the revised resolution not only meets state standards but, in some cases, exceeds them. For example, meeting rules typically allow three minutes for public comments and three minutes for public hearings. But in Canyon Lake speakers have five minutes to make their point known.

The revised rules also reflect the addition of new committees within the city and, for the first time, include rules governing use of city stationery and business cards, the city logo and seals and how council members represent themselves.

The Brown Act has changed dramatically over the last 56 years, said Peter Scheer, executive director of the California First Amendment Coalition, a non-profit group that protects freedom of expression and the people's right to know.

His group recommends that a city's meeting and conduct rules be reviewed every couple of years to make sure they reflect what is really going on and to avoid any challenges.