MEMORANDUM

DATE: February 16, 2012

TO: Planning Commission
Historic Landmarks Board
Trees and Views Committee
Business Advisory Committee

FROM: Jeremy Graves, Community Development Director

SUBJECT: E-Communications Policy

On February 7, 2012, the City Council approved the attached resolution which establishes a City-wide policy governing the use of personal computing devices during open public meetings of the City Council, as well as all boards, commissions, and committees. The purpose of this policy is to ensure the use of electronic media by members of these bodies complies with applicable laws concerning hearings and deliberating procedures.

Please contact me if you have any questions.

Attachment: City Council Resolution No. 5288, E-Communications Policy

cc: Debbie Pagliaro, City Clerk

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RESOLUTION NO. 5288

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAUSALITO ESTABLISHING A POLICY REGARDING THE USE OF PERSONAL COMPUTING DEVICES DURING CITY COUNCIL, BOARD, COMMISSION AND COMMITTEE MEETINGS

WHEREAS, as part of the City's continuing efforts to reduce waste in connection with its Climate Change Action Plan, the City Council wishes to allow Councilmembers and officials of City Boards, Commissions and Committees to use personal computing devices and software to receive, store and review meeting agenda materials during their meetings; and

WHEREAS, the City Council and its Boards, Commissions and Committees are required to make decisions on a variety of matters impacting the City of Sausalito and its citizens, including matters for which public hearings are held; and

WHEREAS, in order to assure that there are no violations of the Brown Act or the Government Code, the City Council wishes to adopt a policy governing the use of personal computing devices during open public meetings of the City Council, and all Boards, Commissions and Committees.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sausalito approves the attached policy regarding the use of personal computing devices (Exhibit A).

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Sausalito on the 7th day of February, 2012 by the following vote:

AYES:	**Councilmembers:**	Ford, Leone, Pfeifer, Weiner and Mayor Kelly
NOES:	**Councilmembers:**	None
ABSTAIN:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

_____
MAYOR OF THE CITY OF SAUSALITO

ATTEST:

_____
CITY CLERK

EXHIBIT A

CITY OF SAUSALITO

A POLICY FOR CITY COUNCIL, BOARDS, COMMISSIONS AND COMMITTEES ON THE USE OF PERSONAL COMPUTING DEVICES DURING OPEN PUBLIC MEETINGS SUBJECT TO THE BROWN ACT

Adopted February 7, 2012

PURPOSE

Use of electronic media is necessary and useful for City Council, Board, Commission and Committee members in order to improve communication and efficiently perform their City duties. The purpose of this policy is to ensure the proper use of electronic media by members of the City Council, Boards, Commissions and Committees during meetings subject to the Brown Act to comply with applicable laws concerning hearings and deliberating procedures, including due process, particularly regarding information received at a public hearing or meeting and to ensure completeness of the administrative record of such meetings.

DEFINITIONS

Personal Computing Devices - shall include cell phones and "smart" phones, iPads, tablets, notebooks, laptops and desktop computers and other similar devices.

E-communications - electronic text or visual communications and attachments distributed via e-mail, websites, instant messaging, text messaging, twitter, or comparable service.

POLICY STATEMENT

During City Council meetings that are noticed and open to the public pursuant to the Ralph M. Brown Act, personal computing devices may be used by members of the City Council for the receipt, storage, retrieval, review and notation of agenda reports and materials provided to the City Council for such meetings. During Council meetings, Councilmembers are encouraged not to access the internet or City intranet using personal computing devices, if to do so would distract the official from his or her duties, or create the appearance of inattention to the proceedings. Instead, requests for information may be directed to staff, whose responsibility it is to research and distribute information relevant to the proceedings. Except in an emergency or for an urgent personal communication, City Councilmembers shall not use personal computing devices to receive or send telephone calls, e-mails, text messages, social media site messages/postings, or other communications.

If a City Councilmember inadvertently receives or transmits an e-communication during a meeting subject to the Brown Act, the receipt of such information shall be immediately disclosed and the e-communication shall become as part of the public record.

This policy shall apply to all City Boards, Commissions and Committees during their respective noticed public meetings, but shall not apply to City Council subcommittee meetings.

Any personal computing devices provided by the City to City Council, Board, Commission or Committee members shall be the property of the City and shall be returned to the City when that member is no longer serving in such capacity.