



City Council Agenda Item Staff Report

CITY OF SAN BRUNO

DATE: May 9, 2023

TO: Honorable Mayor and Members of the City Council

FROM: Alex D. McIntyre, Interim City Manager

PREPARED BY: Trisha Ortiz, City Attorney

SUBJECT: Consider Adoption of a Resolution Amending the San Bruno City Council Policies and Procedures Regarding Closed Sessions

BACKGROUND:

On December 13, 2022, the City Council adopted its “San Bruno City Council Policies and Procedures.” As described in the December 13, 2022 staff report, “[t]he purpose of the City Council Policies and Procedures document is to assure the orderly and most efficient conduct of the City Council meetings. These policies and procedures are intended to assure the right of the majority of the City Council to decide items of business brought before the City Council; and the right of the minority to be heard. The guidelines are also intended to foster and promote the right of residents to have adequate notification of City Council meetings and a fair and reasonable opportunity to participate in meetings to be heard. The document consists of 17 sections, including Section 9 regarding meetings.

DISCUSSION:

The Brown Act generally requires all local government business to be conducted at open and public meetings. However, the Brown Act allows a legislative body to convene a “closed session” during a meeting in order to meet privately with its advisors on specifically enumerated topics. Examples of business that may be conducted in closed session include personnel actions and evaluations, threats to public safety, labor negotiations, pending litigation, real estate negotiations and consideration of a response to an audit report.

The closed session business must be described on the public agenda and the public must be given an opportunity to comment on a closed session item before convening the closed session.

After a closed session, the legislative body must reconvene the public meeting and publicly report certain types of actions if they were taken and the vote on those actions, or report that no such actions were taken. The Brown Act does not authorize the legislative body to take an action to adjourn the meeting during closed session.

The proposed amendment to the Policies and Procedures clarifies that the City Council will return to the public meeting to provide a report on the closed session and that the meeting will not be adjourned during the closed session.

FISCAL IMPACT:

There is no fiscal impact associated with the proposed action to amend the City Council Policies and Procedures.

ENVIRONMENTAL IMPACT:

City Council's action is not considered a "Project" per CEQA Guidelines and therefore no further environmental analysis is required.

RECOMMENDATION:

Adopt a Resolution of the City Council of the City of San Bruno amending the San Bruno City Council Policies and Procedures regarding closed sessions.

ALTERNATIVES:

None.

ATTACHMENTS:

1. Resolution
2. City Council Policies and Procedures