TOWN OF FAIRFAX
STAFF REPORT

Date: August 1, 2012

To: Mayor and Members of the Town Council

From: Judy Anderson, Town Clerk

Subject: Approval of Resolution No. 12-53, a Resolution of the Town Council of the Town of Fairfax continuing implementation of all of the Requirements of the Brown Act during the State of California's three-year suspension of State Mandates as contained in AB 1464 and SB 1006

RECOMMENDATION

It is recommended the Town Council approve the attached Resolution adopting a policy to comply with all the requirements of the Brown Act during the State's three-year suspension of this State mandate.

BACKGROUND/ANALYSIS

On June 27, 2012 AB 1464 was signed into law and contains a schedule of state mandates that were suspended during the 2012-2013 budget year, including the Brown Act. The same day, Senate Bill 1006, amended Section 17581 of the Government Code by adding the following language: "All state-mandated local programs suspended in the Budget Act for the 2012–13 fiscal year shall also be suspended in the 2013–14 and 2014–15." The suspension will therefore last 3 years. It is believed that the suspension of the State mandates for a three year period is a result of the State's dire fiscal condition.

The portions of the Brown Act that were suspended include:

- The preparation and posting at least 72 hours before a regular meeting of an agenda that contains a brief general description of each item of business to be transacted or discussed at the meeting.
- Inclusion on the agenda of a brief general description of all items to be discussed in closed session.
- Disclosure of each item to be discussed in closed session in an open meeting, prior to any closed session.
- Report in open session prior to adjournment on the actions and votes taken in closed session regarding certain subject matters.
- Provide copies to the public of certain closed session documents.

AGENDA ITEM # 14

It is important to note that the Town of Fairfax intends to conduct business as usual and to follow the requirements in the Brown Act in order to ensure that meetings are open and transparent to the public.

FISCAL IMPACT

None

ATTACHMENT

Draft Resolution #12-53