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City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER KALB & PRESIDENT PRO TEMPORE
KAPLAN

Resolution in SUPPORT of California Proposition 42 – Constitutional Amendment to protect the public's right to know by requiring compliance by local agencies with the Public Records Act and the Brown Act for open meetings

WHEREAS, public transparency and freedom of information safeguards are of significant importance to and benefit for the citizens of Oakland and California and the integrity of government; and

WHEREAS, the California Public Records Act, passed in 1968, is a critical tool for the public and the press and facilitates obtaining government records, awareness of the activities of government, and effective advocacy in the interests of the community; and

WHEREAS, the Ralph M. Brown Act, passed in 1953, guarantees the public's right to attend and participate in legislative bodies of local agencies, including boards, commissions, and councils; and

WHEREAS, state and local governments have been in disagreement regarding the amount of state financial support that is required address the costs to local governments with complying with these transparency laws and, at times, local agencies have used the failure of the state to reimburse their costs as an excuse for not complying with the transparency laws; and

WHEREAS, requiring the state to reimburse local governments for compliance costs with these laws does not encourage local governments to take steps to reduce their compliance costs, such as through proactive transparency procedures; and

WHEREAS, California Proposition 42 on the June 2014 ballot would secure the California Public Records Act and the Ralph M. Brown Act in the State Constitution and relieve the State from paying for local governments' costs of compliance with these open government laws; now, therefore, be it

RESOLVED: That the Oakland City Council hereby endorses Proposition 42.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF, AND
PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

LATONDA SIMMONS
City Clerk and Clerk of the Council of the
City of Oakland, California