

CITY CLERK DASHBOARD

Compiled by Shalice Tilton, MMC

January 2023

Statute	Why?	How?
The Brown Act Government Code (Access to information law regarding open meetings & open deliberations) <u>Government Code §§ 54950 et seq.</u>	The people, in delegating authority, do not give their public servants the right to decide <u>what is</u> good for the people <u>to know</u> and <u>what is not</u> good for them <u>to know</u> . The people insist on remaining informed so they may retain control over the instruments they have created.	Post agendas 72 hours advance with adequate description. Defines meeting as a majority discussion. Meetings open, limited exceptions. Material immediately available.
The California Public Records Act Government Code (Access to information law regarding government business records) <u>Government Code §§ 7920 et seq.</u>	The public must have access to information that enables them to monitor the functioning of their government.	Provides a right to inspect and get copies of public records. Determine if records exist within 10 days; or extend by 14 days. Determination letter includes 1) such records do (or do not) exist; 2) certain records exempt; 3) estimated date of production.
Political Reform Act Government Code (Safeguard law - protects against personal financial gain for officials) <u>Government Code §§ 81000 et seq.</u> <u>CCR §§ 18104 et seq.</u>	Government should serve citizens equally without regard to wealth; contributors shall not gain disproportionate influence over others. The theory is that an informed electorate will vote against a candidate having financial alliances adverse to the public interest.	Officials, officeholders, & candidates disclose economic interests and \$500 gift limit (Form 700) Officeholders & candidates disclose contributions & expenditures. Lobbyists disclose activity expenses and a \$10 gift limit.
Fair Political Practices Commission An agency established under the Political Reform Act (Access to information law regarding financial interests of officials) <u>Government Code §§ 81000 et seq.</u> <u>CCR §§ 18104 et seq.</u>	The FPPC is an agency established under the Political Reform Act (Government Code) The FPPC has responsibility for the impartial, effective administration and implementation of the Political Reform Act. The FPPC creates regulations, manuals, and forms to implement the Act.	
Conflicts of Interest Government Code (Safeguard law - protects against personal financial gain for officials) <u>Government Code § 1090</u> <u>Government Code §§ 87100 – 87505</u>	Public officials, whether elected or appointed, should perform their duties in an impartial manner, free from bias caused by their own financial interests. No public official shall participate in or attempt to use his official position to influence a governmental decision for which the official has a personal financial interest.	If an official has a conflict: publicly identify the interest and leave the room. Includes interactions outside formal meetings. Gov. Code 1090 applies to contracts (includes purchase orders): Recuse is not an option—if an elected official has a conflict, the entire agency has a conflict.
The Maddy Act – Local Appointments List Government Code (Access to information law regarding board and commission vacancies) <u>Government Code § 54972</u>	A vast and largely untapped reservoir of talent exists among the citizenry, and rich and varied segments of this great human resource are, all too frequently, not aware of the many opportunities which exist to participate in and serve on local regulatory and advisory boards, commissions, and committees	Requires public notices so citizens have equal access to specific and current information about boards, commissions, and committees and equal opportunity to be informed of vacancies.

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Election Law Elections Code (Safeguard law – protects individual rights to a participatory government) Government Code §§ 34050 & 36503 Elections Code §§ 1301, 9200 et seq. and 10100 et. seq.	US Constitution: The right of citizens of the United States to vote shall not be denied or abridged.	Provides procedures for: Nominations and ballot materials. Initiative – enact an ordinance through a vote of the people. Referendum – repeal an ordinance. Recall – remove an elective officer. Canvass of ballots.
Ethics Law (AB 1234) Government Code (Safeguard law – protects against inappropriate use of tax dollars) Government Code § 53234	Response to reports of inappropriate use of local tax dollars, increased misuse of public resources, and failure to follow conflict of interest laws.	Requires a written policy to reimburse members for travel & expenses. Requires two-hour training for elected who receive compensation or reimbursements.
Tort Claims Act (Claims Against Public Entities) Government Code (Safeguard law- protects against significant attorneys' fees and narrows a plaintiff's lawsuit) Government Code §§ 900 et seq.	Allows governments to investigate and negotiate on meritorious claims.	Provides uniform procedure for bringing claims against public entities.
California Voter Participation Rights Act Election Code (Safeguard law - protects against low voter turnout due to the timing of elections) Elections Code § 14050	One of the greatest barometers for waning civic engagement in American politics is declining voter turnout. Synchronizing with statewide elections can boost turnout.	Regularly scheduled elections shall be held same time as statewide elections if voter turnout is <25% of statewide.
California Voting Rights Act Election Code (Safeguard law - protects against voter dilution and discrimination) Elections Code §§ 14025 et seq. Elections Code §§ 10010 et seq. Government Code §§ 34886 et seq.	At-large election systems may impair the ability of the protected class to elect candidates of its choice or influence the outcome of an election	Establishes criteria for challenging the validity of at-large elections systems. Related legislation provides procedures for converting to a by-district form of election.
FAIR MAPS Act Election Code (Safeguard law – protects against inconsistent districting criteria and public unawareness) Elections Code §§ 21600 et seq.	Election district boundaries are of crucial importance to local democracy. Established criteria and procedures ensure the process is fair, transparent, and the public is engaged.	Establishes prioritized criteria for adopting district boundaries. Imposes timelines and public engagement requirements.

Disclaimer: Information contained herein is for reference only and should not be used as a substitute for seeking legal advice. Statutes and regulations constantly change, so this information should not be relied upon without referring to California law.