

Open Forum BOS 2/10/2026

## REACH FOR THE CEILING :)

In late 1951, San Francisco Chronicle reporter Mike Harris spent six weeks looking into the way local agencies conducted meetings. State law had long required that business be done in public, but Harris discovered secret meetings or caucuses were common. He wrote a 10-part series on "Your Secret Government" that ran in May and June 1952.

Out of the series came a decision to push for a new state open meeting law. Harris and Richard (Bud) Carpenter, legal counsel for the League of California Cities, drafted such a bill and Assembly Member Ralph M. Brown agreed to carry it. The Legislature passed the bill and Gov. Earl Warren signed it into law in 1953.

The Brown Act is a floor, not a ceiling for conduct of public officials. ... The Brown Act allows a legislative body to adopt practices and requirements for greater access to meetings for itself and its subordinate committees and bodies that are more stringent than the law itself requires.

A local policy could build on these basic Brown Act goals:

- A legislative body's need to get its business done smoothly;
- The public's right to participate meaningfully in meetings, and to review documents used in decision-making at a relevant point in time;
- A local agency's right to confidentially address certain negotiations, personnel matters, claims and litigation; and
- The right of the press to fully understand and communicate public agency decision-making.

An explicit and comprehensive public meeting and information policy, especially if reviewed periodically, can be an important element in maintaining or improving public relations. ... A narrow legalistic approach will not avoid or resolve potential controversies. An agency should consider going beyond the law, and look at its unique circumstances and determine if there is a better way to prevent potential problems and promote public trust. At the very least, local agencies need to think about how their agendas are structured in order to make Brown Act compliance easier. They need to plan carefully to make sure public participation fits smoothly into the process.

[https://www.4cd.edu/about/committees/measure\\_a/membership/league%20of%20California%20Cities%20-%20A%20Guide%20to%20the%20Ralph%20M%20Brown%20Act.pdf](https://www.4cd.edu/about/committees/measure_a/membership/league%20of%20California%20Cities%20-%20A%20Guide%20to%20the%20Ralph%20M%20Brown%20Act.pdf)

Citizens have an enormous first amendment interest in directing speech about public issues to those who govern ... *White v. City of Norwalk*, 900 F.2d 1421 (1990)

Respectfully submitted: Leo Bennett-Cauchon, 916 307-8525