



AGENDA SUMMARY EUREKA CITY COUNCIL

TITLE: DECORUM ORDINANCE

DEPARTMENT: CITY ATTORNEY'S OFFICE

PREPARED BY: AUTUMN E. LUNA

PRESENTED FOR: Action Information only Discussion

RECOMMENDATION Waive full reading, read by title only and Adopt Bill No. 1014-C.S., an Ordinance of the City of Eureka replacing in its entirety Section 30.13 of Title III, Chapter 30

FISCAL IMPACT

No Fiscal Impact Included in Budget Additional Appropriation

COUNCIL GOALS/STRATEGIC VISION

Effective Governance

DISCUSSION

Meetings of the City Council are considered limited public forums. This is important when determining how and to what extent the public's First Amendment rights are protected at public meetings. It has long been the case that the public has a right to speak agenda items and, at regularly scheduled meetings, on any topic within the subject matter jurisdiction of the City Council. These rights are both codified by The Brown Act and further refined by the courts.

The Legislature recently passed SB No. 1100, amending The Brown Act to codify the Ninth Circuit case *Acosta v. City of Costa Mesa*, wherein the Court affirmed local agencies' authority to remove a member of the public for disrupting a meeting. At the regularly scheduled meeting of February 21, 2023, the City Council updated its Guide to City Council Meeting Process to, among other things, reflect this new legislation. The Ordinance update being brought to the City Council today will bring the City's ordinance into accord with its newly adopted Meeting Process Guide as well as newly adopted legislation.