

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLINGAME
ADOPTING A COUNCIL POLICY GOVERNING USE OF PERSONAL ELECTRONIC
DEVICES BY COUNCILMEMBERS AND COMMISSIONERS DURING PUBLIC
MEETINGS**

WHEREAS, personal electronic devices such as smartphones and tablets have become an integral part of how many conduct their personal and professional lives; and

WHEREAS, Councilmembers and Commissioners may wish to conserve paper by accessing agenda materials electronically; and

WHEREAS, decisions made in public meetings should be transparent, and Councilmembers and Commissioners should not be accessing information or receiving communications that are not shared with the public; and

WHEREAS, Councilmembers and Commissioners who choose to use personal electronic devices during public meetings should understand they have an obligation to cooperate with the City in any responses to discovery or Public Records Act requests.

NOW, THEREFORE, BE IT RESOLVED, that:

The Council adopts the following policy governing the use of personal electronic devices by Councilmembers and Commissioners during public meetings:

Councilmembers and Commissioners may use personal electronic devices during a public meeting to review agenda materials and any notes or related information assembled prior to the meeting. Councilmembers and Commissioners shall not send or receive any communication regarding agenda items during the meeting, and if any such communication is received despite this requirement, it must be disclosed on the record. Any information that is not already part of the public record that is accessed during the meeting that is relevant to the agenda item should similarly be disclosed and entered into the record for the item in question. Councilmembers and Commissioners understand and agree that by using their personal electronic devices during a public meeting, the information on those devices may become subject to discovery, Public Records Act, or other requests, and they agree to cooperate with the City in responding to such requests including through direct access to their devices as necessary in order to allow the City to comply with law or court orders or to defend itself in any action.

Emily Beach, Mayor

I, MEAGHAN HASSEL-SHEARER, City Clerk of the City of Burlingame, certify that the foregoing Resolution was introduced at a regular meeting of the City Council held on the 3rd day of February, 2020, and was adopted thereafter by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

Meaghan Hassel-Shearer, City Clerk