



February 15, 2026

To: San Diego City Council

Re: February 18, 2026, Rules Committee Agenda Item 4

Honorable Councilmembers:

Regarding the proposed changes to public comment to conform to recent state changes in the Brown Act, Neighbors For A Better San Diego (NFABSD) offers the recommendations below.

Current processes that would remain unchanged

San Diego already allocates the same amount of time to each person, whether in chamber or virtual, so that new Brown Act requirement is already covered.

For instances where a person is not making a presentation, ceding time to someone, or having time ceded by someone, the current rules would continue to apply:

1. A speaker slip is submitted in the meeting chamber for an in-person comment.
2. The hand is raised for a virtual comment.
3. Written comments can be submitted through the webform, as they are now.

Acceptable changes proposed in the Staff Report

NFABSD finds the following changes proposed in the Staff Report to be reasonable and do not present an undue burden:

1. The virtual queue will be stopped when in-person testimony ends.
2. Presentations need to be submitted at least 2 hours before the start of the meeting.

Proposed alternative processes for group presentations and time ceding

Presenting detailed analysis of proposed regulations is an important part of public participation, and public speech would be severely suppressed by elimination of organized group presentations as suggested as an option in the Staff Report.

We appreciate the new conditions imposed by the Brown Act, and, as a group that is intimately familiar with the mechanics of organizing a Council presentation, we recommend the following process:

1. A presentation may be made by either an in-person or virtual presenter.
2. Time may be ceded to a presenter either in-person or virtually.
3. There would be no minimum or maximum limit on the number of people signing up to cede time to a speaker; however, presentations would be limited to no more than 15 minutes, consistent with current Council rules.
4. A person shall register at least 24 hours in advance to make a presentation. As noted above, presentations must be submitted at least two hours before the start of the meeting in which the item will be heard.
5. Once the primary speaker has registered, other persons may register to cede time to the presenter.
6. The registration page would provide real time tracking of the number of people registered to present or cede time, along with clear numerical guidelines for how much time will be allotted per person, including automated notifications to the presenter being ceded time.
7. To promote efficiency during the calling of names, registration should include whether the person intends to participate in person or virtually.
8. Speaker and time ceder registration would be cut off 2 hours before the posted start of the meeting and the time allocated to each participant would be determined at that time in accordance with posted guidelines.
9. Presenters would be called in the order of registration.

Proposed additional Council procedures to further the intent of the Brown Act

The Brown Act is intended to provide rigorous guidance for equal and open participation of the public in governmental decision-making. While the conduct of public meetings is an important part of this, it is equally important that the public receives timely information on agenda items and equal access to Councilmembers. Accordingly, NFABSD recommends these additional policies:

1. Except in the case of a necessary emergency meeting, as allowed by the Brown Act, the meeting agenda shall be posted 72 BUSINESS hours (i.e., 3 business days, excluding weekends and City holidays) in advance of the meeting.
2. The public shall be given the same opportunity to meet with Councilmembers as lobbyists and special interests. If a Councilmember denies a reasonable meeting request from a given member of the public or

organized group on a pending item, then the councilmember shall not meet with any other member of the public, lobbyist, special interest, or organized group after the submittal of the meeting request that the councilmember denies.

- a. This restriction would extend to meetings with Council staff.
- b. This proposal could be implemented, for example, through a publicly accessible online meeting scheduling platform.

Neighbors For A Better San Diego feels strongly that a robust, informed, and democratic debate is essential to addressing the challenges that face our City and we urge the Council to look at processes that encourage public participation rather than take it away.

Respectfully,

A handwritten signature in black ink that reads "Geoffrey Hueter". The signature is written in a cursive, flowing style.

Geoffrey Hueter, Chair
Neighbors For A Better San Diego