


COUNCIL OF THE DISTRICT OF COLUMBIA  
COMMITTEE OF THE WHOLE  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004

MEMORANDUM

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TO: Nyasha Howard, Secretary to the Council

FROM: Phil Mendelson, Chairman 

DATE: March 27, 2025

RE: **Request to Place Measures on the Agenda for April 1, 2025 Regular Legislative Meeting**

Please place the following measures on the agenda for the April 1, 2025 Regular Legislative Meeting:

- **Open Meetings Clarification Emergency Declaration Resolution of 2025**
- **Open Meetings Clarification Emergency Amendment Act of 2025**
- **Open Meetings Clarification Temporary Amendment Act of 2025**

The policy that government decision making should always be done at an open meeting has long been the law in the District, with two fundamental requirements:

1. First, official actions (e.g., votes) should occur at a public meeting; and
2. Second, to properly hold a public meeting, there must be adequate public notice of the meeting.

The Open Meetings Act of 2010 expanded this policy – in essence, to include *conversations*, not just *actions*, by public officials. While this seemed innocuous when enacted, time after time we have found this to impede deliberations.

This legislation would amend the Open Meetings Act to clarify the definition of “meeting” specifically related to the types of gatherings of the Council that constitute “meetings.” The legislation also would provide for the ability of a public body to be briefed about potential terrorist or public health threats as long as no official action is taken, and exempt from the act meetings between the Council and the Mayor provided that no official action is taken at these meetings. The bill also provides that a meeting shall be deemed open to the public if the public body takes steps reasonably calculated to allow the public to view or hear the meeting while the meeting is taking place, or, if doing so is not technologically feasible, as soon thereafter as reasonably practicable.

This emergency legislation is particularly necessary in the current political climate to allow the Council to be briefed as a body in a timely manner and to develop appropriate responses to rapidly unfolding issues, and to ensure that other public bodies in the District are able to receive, discuss and analyze relevant information securely, while also ensuring that the process for taking any official action with respect to that information is conducted publicly.

Draft copies of the measures are attached. Please call me or Christian A. Washington, Special Counsel, if you have any questions at (202) 724-8083.

cc: All Councilmembers  
Council Officers