

# OVERVIEW OF OPEN MEETING POLICIES FOR ADVISORY BODIES

Presented by

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Contra Costa County Clerk of the Board of Supervisors



## WHAT THIS PRESENTATION COVERS

- 1. Overview of the two main open meeting polices**
  - **Brown Act**
  - **Better Government Ordinance (“BGO”)**
- 2. Resources available to you**



## LAYERS OF POLICIES: ADVISORY BODIES



- **Federal**
- **State**
- **Local**

# OPEN MEETING POLICIES

- **The Brown Act**
- **Better Government Ordinance**



# THE BROWN ACT

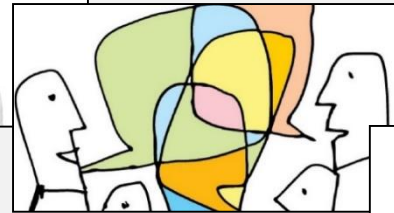
- **Guarantees the public's right to attend and participate in meetings of local legislative bodies**
- Applies to local legislative bodies, such as the Board of Supervisors, and bodies created by formal action of those bodies, including advisory boards



# BROWN ACT MEETING

- Any gathering of a majority of the members of the legislative body to:

- Hear
- Discuss, and/or
- Deliberate



... on any item of business that is within the subject matter jurisdiction of the body



## DISCUSSING BUSINESS OUTSIDE A MEETING IS GENERALLY PROHIBITED

- Majority may not discuss or transact business outside of a properly noticed meeting
  - Personally
  - Through Staff
  - Via technology
- ‘Serial’ meetings are prohibited



# THE BETTER GOVERNMENT ORDINANCE (BGO)

- **Codifies main provisions of the Brown Act**
- **Applies to a broader set of the county's advisory bodies and includes subcommittees**
- **Goes beyond the disclosure requirements in the Brown Act**
  - Extends the notice period to a minimum of 96 hours (4 full days) in advance





# QUORUM

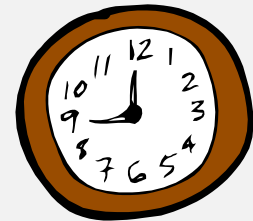
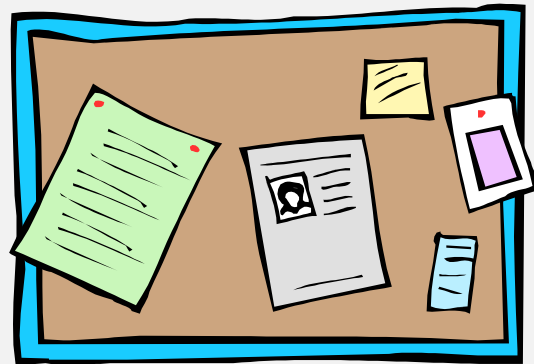


- A quorum is the minimum number of members who must be present at the meeting for business to be **legally** transacted (Brown Act)
- Generally, a **quorum is a majority** of the members of the body
- Quorum is fixed: No “moving” quorum
  - Based on **AUTHORIZED** seats, not how many appointments are currently made
- No quorum, no meeting!



# AGENDA POSTING AND PUBLIC ACCESS

- **Physical posting at a location fully accessible to the public** is required
- Must **distribute the agenda and materials** to those who have requested the materials within the last year
- Internet web posting is required for many bodies and is **recommended for all bodies**



# REQUIRED AGENDA CONTENT

- Where/when meeting is held
- Adequate description of agenda items
- Public access to agenda materials
- Disability-related modification or accommodation & how to request
- Public comment



## MINUTES/RECORD OF ACTIONS

PERMANENT RECORD STUB 3  
OFFICE FILE

NAME.....  
H.R..... DATE.....  
REASON.....  
TEACHER.....  
STUDENT SIGNATURE.....

Nº 27195  
HIGH SCHOOL

- Must be kept in the county's custody and available for public inspection
- Must be kept indefinitely (permanent record)

## MEETING IN CLOSED SESSION

- Meeting in closed session is allowed **only** for specific matters as expressly authorized by statute.
- **Advisory bodies are not authorized to hold closed sessions**



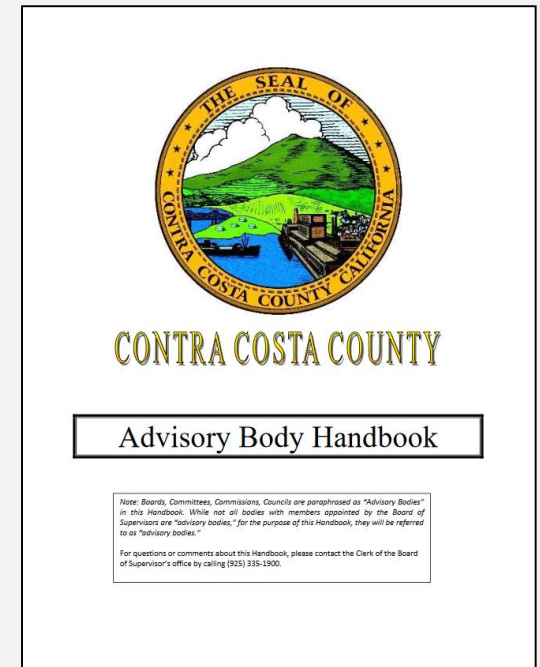
# PENALTIES & REMEDIES

- **Removal from role**
- **Criminal Penalties**
  - Knowing violations are a misdemeanor
- **Civil Remedies**
  - Any interested person may bring a lawsuit
  - Body has chance to cure and correct
  - Certain illegal actions may be voided
  - Costs and attorney fees awarded



# RESOURCES

- **Clerk of the Board Website:**
  - <http://www.co.contra-costa.ca.us/3418/>
  - Handbook
  - Videos and online trainings
- **Staff assistance and support**
  - Advisory body staff
  - Clerk of the Board



- About Contra Costa ▶
- Appointed Bodies, Committees and Commissions
- Board of Supervisors ▶
- Clerk of the Board ▶
- Clerk-Recorder
- Codes & Ordinances ▶
- County Administration ▶
- Departments ▶



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## Board of Supervisors Appointed Bodies, Committees and Commissions

Contra Costa is governed by a five-member Board of Supervisors elected to represent citizens of our County. County government also includes a variety of citizen commissions, committees and other entities formed to advise the Board of Supervisors and County staff on issues and policy. County committees are created as a result of State and Federal legislation, agreements with public or private agencies, and local needs. They serve as links to our community, expanding the dialogue between the public and the County government, and enhancing the quality of life for our residents.

We welcome the participation of our citizens, and have a wide variety of positions available. Some of our appointed bodies have very targeted, specific focus, while others have broad-based jurisdictional responsibilities. Elected officials, including County Supervisors, sit on some of these entities; most are comprised of people who have an interest in a facet of local government, and are to be thanked for giving their time and expertise.

The following information is available to assist you in participating:

### [Boards & Commissions Database](#)

Find details and the online application for each appointed body, committee and commission by visiting the [Boards & Commissions Database](#).

### [Apply Online!](#)

- [PDF Application](#)
- [Find out in which supervisorial district you live; many appointments are specific to the boundaries of each district](#)
- [2019 Local Appointments List](#)
- [Agenda Center - Citizen Advisory Body Meeting Agendas](#)
  - Note: some advisory bodies may publish agendas on their own website

I've been appointed! What next?

- [Advisory Body Handbook](#)
- Training Resources
  - [Training Certification](#)
  - [Advisory Body Training Video](#)
  - [Brown Act and Better Government Ordinance Training Video](#)
  - [Ethics Training](#)
- [Municipal Advisory Council Policies](#)

For more information, please contact the Clerk of the Board:



# TRAINING

- **Training Certification Form**
  - Complete within first two months of appointment



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# QUESTIONS? ASK US!

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