

County Administrator

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David J. Twa
County Administrator

Contra Costa County



Board of Supervisors

John M. Gioia
1st District

Candace Andersen
2nd District

Diane Burgis
3rd District

Karen Mitchoff
4th District

Federal D. Glover
5th District

March 12, 2019

Dear Mr. Bezis:

The Contra Costa County Board of Supervisors has received your cease and desist letter dated February 14, 2019, alleging that the following described past action of the legislative body violates the Ralph M. Brown Act:

[A]llowing a supervisor to act as "chair" at the time of Board reorganization before a chair has yet been designated to that post, absent a formal transition policy.

In order to avoid unnecessary litigation and without admitting any violation of the Ralph M. Brown Act, the Contra Costa County Board of Supervisors hereby unconditionally commits that it will cease, desist from, and not repeat the challenged past action as described above by revising its procedural rules to specify that the Board will take public action(s) in December of each year to identify a nominee for Chair of the Board for the following year and to acknowledge receipt of the Board members' preferences for serving on various boards, committees and commissions.

The Contra Costa County Board of Supervisors may rescind this commitment only by a majority vote of its membership taken in open session at a regular meeting and noticed on its posted agenda as means or media you provide in response to this message, to whatever address or addresses you specify, or any intention to consider rescinding this commitment at least 30 days before any such regular meeting. In the event that this commitment is rescinded, you will have the right to commence legal action pursuant to subdivision (a) of Section 54960 of the Government Code. That notice will be delivered to you by the same means as this commitment, or may be mailed to an address that you have designated in writing.

Very truly yours,

Supervisor John Gioia
Chair of the Contra Costa County Board of Supervisors

cc. David Twa, County Administrator
Sharon L. Anderson, County Counsel
Jami Napier, Chief Assistant Clerk of the Board of Supervisors
Lynn E. Uilkema, Senior Deputy District Attorney