



POLICY TITLE: Open Meetings -Brown Act
POLICY NUMBER: 4215

4215 The Contra Costa Resource Conservation District Board of Directors seeks full transparency for its activities and to allow public comment on and involvement in its deliberations and discussions of its decisions. Consistent with the California Public Resource Code Division 9, Resource Conservation Districts will convene regular meetings in compliance with the Brown Act as specified in California Public Resource Code Division 9, Section 9084 (B).

4215.1 The intent of this policy is to ensure Board meetings are open and transparent and in compliance with the Brown Act.

Brown Act requirements may be modified as authorized by Executive Order or other legitimate decree.

4215.2 Agendas

4215.2.1 The Clerk of the Board will prepare an agenda for each regular and special meeting of the Board and each meeting.

4215.2.2 The Board will designate time to receive public comments on matters not on the agenda brought before the Board or a committee by members of the public. However, the Board or committee may not discuss or act on matters not on the agenda.

4215.2.3 At least 72 hours prior to the beginning of all regular meetings, an agenda will be posted in a place freely accessible to members of the public as well as the District's website. All information made available to the Board or committee (except confidential information not required to be disclosed to the public) will be available for public review prior to the meeting.

4215.2.4 The agenda for a special meeting of the Board will be posted at least 24 hours before the meeting in the same locations as for regular meetings.

4215.2.5 Items not on the agenda. The Board shall not discuss or take action on any item that does not appear on the posted agenda except that the Board may add items to the agenda to address emergency situations or items requiring consideration prior to the next regularly scheduled meeting. A two-thirds vote of the Board members is required to add an item to the agenda.



4215.3 **Meetings.** Meetings occur whenever the majority of the Board of Directors meet to discuss District business. Meetings not subject to the Brown Act include: conferences and retreats, other public meetings, meetings of other legislative bodies, social or ceremonial events; provided, that the Board members in attendance do not discuss amongst themselves any District business or issues. Contacts or conversations between a Board member and any individual that is not on the Board, including CCRCDC staff, are not subject to the Brown Act. Board and staff communication can not be used to circumvent public access requirements.

Communication by a majority of the Board, in person or by social media commonly known as a “serial meeting” is prohibited.

Regular Meetings. All Board meetings shall be open and freely accessible to the public, including those with disabilities. Currently, meetings are held the third Tuesday of every month at 8:30 a.m. in the District office or other designated location within the district boundaries. Other meeting dates and times may be established by the Board by resolution. Notice of the change must be published pursuant to California Government Code Section 6061.

Special Meetings. Special meetings may be called by the Board President or the Executive Director by delivering notice to each Board member and posting a notice on the District’s web site. The notice must be delivered at least 24 hours prior to the beginning of the meeting specified in the notice. The notice will specify the time and place of the special meeting as well as the business to be transacted or discussed.

Emergency Meetings. In the event of an emergency situation involving matters requiring prompt action due to disruption or threatened disruption of public facilities, the Board may hold an emergency special meeting without complying with the 24-hour notice requirement.

Standing Committee Meetings. The meetings of standing committees of the board are subject to the notice and open meeting provision of the Brown Act.

Closed Sessions. Without specific cause all District business must be discussed in public. Closed sessions are allowed for personnel matters, pending litigation and real estate and labor negotiations. Decisions reached in closed sessions must be announced in public immediately following the closed session.

4215.4 **Public Participation.** Members of the public will be allowed to speak on specific items on the agenda before or during the Board’s or committee’s consideration of the matter. Method of comments will be specified in the agenda. The Board may adopt reasonable regulations, including time limits, on public comments.



4215.5 Use of Social Media

The Brown Act prohibits a majority of the Board members from communicating outside of a noticed meeting using a series of communications of any kind, whether directly or indirectly or through intermediaries, to discuss, deliberate, or take action on any matter that is within the board's jurisdiction.

Board members may use social media to communicate their positions to constituents and the public without causing a serial meeting of the board. A Board member may engage in conversation or communications about agency business on any social media platform that is open and accessible to the public, for the following purposes:

1. To answer questions
2. To provide information to the public
3. To solicit information from the public regarding a matter in the Board's jurisdiction.

The Brown Act as amended expressly prohibits Board members from replying or reacting to anything another member of the board posts or shares on social media regarding District's business. A second Board member is prohibited from responding or reacting to another Board member's post, even with an emoji. This rule applies to all internet-based social media platforms that are open and accessible to the public, e.g., Facebook, Instagram, Twitter and chatrooms