

RALPH M. BROWN ACT



- ∞ Requires that public agency actions “be taken openly and that their deliberations be conducted openly.”
- ∞ All “meetings” of a “legislative body” must be open and public.

WHO IS SUBJECT TO THE BROWN ACT?



"Legislative Body" includes:

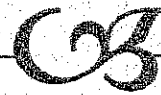
- œ Governing body of a local agency - City Council
- œ Governing bodies of other entities created by state or federal statute - e.g., JPAs
- œ Any Commissions, Committee or Boards Created by formal action of the Governing Body
 - œ Planning Commission, Charter Committee, etc.
- œ A private corporation if either:
 - œ Created by local agency to exercise authority of local agency; or
 - œ Receives funds from City and has City Council member on board

WHAT CONSTITUTES A MEETING?



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- œ A Meeting Is: Any congregation of a majority of the members of the legislative body in the same time and place to hear, discuss or deliberate upon any item within their jurisdiction.
 - œ Watch out for:
 - œ Informal discussions
 - œ Telephone conversations for purpose of discussing decisions in advance
 - œ Serial Meetings
 - œ E-mails, texts, blogs, social networking

MEETING DOES NOT INCLUDE:



- ∞ Individual contacts or conversations
- ∞ Attendance by majority at certain conferences or social events, so long as majority does not discuss issues within their jurisdiction
- ∞ Attendance at meeting of other legislative bodies, so long as majority does not discuss issues within their jurisdiction

EMAILS, TEXTING & BLOGGING



It is easy to violate the Brown Act by simply hitting the “Reply All” button.

Potential Public Records Act Problems:

- Using your own email to discuss City business may subject personal emails to disclosure.
- Recommend use of City email