

Brief Overview of the Ralph M. Brown Act

Butte Valley Advisory Committee
December 12th, 2018

Presentation Overview

- Introduction and brief overview of the Brown Act
- Purpose of the Act and definition of a legislative body
- Applicability to the Butte Valley Advisory Committee
- Some Important Compliance Requirements
- Future opportunities for Brown Act and ethics training
- Q&A period

Presentation note: Today's presentation is simply a brief introduction to the Brown Act. No attempt will be made to provide a comprehensive review of the law. Committee members will still have future opportunities to learn about the Act.

Ralph M. Brown Act

- Authored by Assemblyman Ralph M. Brown
- Passed into law in 1953 – intent of the Brown Act:

“All meetings of a legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency...” section 54953(a)

- California Government Code Sections 54950-54963
- As a standing committee of the Siskiyou County Flood Control and Water Conservation District (the local SGMA GSA), the Butte Valley Advisory Committee is a Brown Act compliant body

Purpose of the Brown Act

- Facilitates public participation and access to all stages of decision-making
- Ensures the public has access to meeting documents, information and records
- Ensures that deliberations and actions are:
 - Open and accessible to the public
 - Held on a regular schedule
 - Adhere to a publicly noticed agenda

Definition of a Legislative Body

A legislative body is defined as...

“The governing body of a local agency or any other local body created by state or federal statute.”

Or

“A commission, committee, board, or other body of a local agency, whether permanent or temporary, decision-making or advisory, created by charter, ordinance, resolution or formal action of a legislative body.”

Butte Valley Advisory Committee

The Butte Valley Advisory Committee is a Brown Act body...

- Advisory in its purpose and function

And

- Created by a formal resolution of the Siskiyou County Flood Control and Water Conservation District – the designated local SGMA Groundwater Sustainability Agency

Some Important Compliance Requirements

The Brown Act places rules and requirements on how meetings must be noticed, conducted and open to the public:

- Agendas must be posted 72 hours in advance and meeting materials made available to the public
- Public must be afforded the opportunity to speak but may not disrupt regular meeting business
- Action or discussion of non-agenda items is prohibited
- Serial meetings are strictly prohibited (i.e., members discuss advisory committee business or take actions outside meetings)

Presentation note: No intent is made here to cover all the requirements of the law. Committee members will still have future opportunities to learn about the Brown Act and ensure they understand how to comply.

**Initial comments, questions and discussion of
future Brown Act training opportunities**