

Daggett Community Services District & Daggett Water Company – Board

POLICY TITLE: Brown Act Compliance – Open Meeting Requirements

POLICY NUMBER: 4215

4215.1 The Brown Act. The Legislature adopted the Brown Act, commonly referred to as California’s “Open Meetings Laws” in 1964. The Brown Act is contained in Government Code section 54950 et seq. The Brown Act is broadly construed and compliance is constitutionally mandated.

4215.2 Compliance with Brown Act. All meetings of the Board of Directors shall comply with the Brown Act.

4215.2.1 Meetings occur whenever the majority of the Board of Directors meets to discuss District business.

4215.2.2 Member of the Board includes newly elected and appointed officials prior to assuming office.

4215.2.3 All Board meetings shall be open and freely accessible to the public, including those with disabilities.

4215.2.4 Meetings through the use of intermediaries, serial communications, or emails are prohibited.

4215.2.5 The Board shall only take action during a properly noticed meeting.

4215.3 Committees. Committees created by formal action of the Board shall comply with the Brown Act

4215.4 Use of Social Media. A majority of the members of the Board are prohibited from using a social media platform to discuss agency business of a specific nature among themselves.

4215.4.1 Additionally, members of the Board may not respond directly to any communication from another member on an internet-based social media platform regarding a matter within their subject-matter jurisdiction.

4215.4.2 Social media may be used for answering questions or providing information to the public as well as to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the legislative body.

4215.4.3 The use of “emojis” or interaction in a manner similar to using the “like” button could constitute discussion among members of the legislative body.

4215.4.4 A member of the Board is not prohibited from commenting on, forwarding or “liking” a post made by a member of the public, as long as those comments do not become a discussion of agency business “of a specific nature” among a majority of the members of the legislative body.