

Bagley-Keene Open Meeting Act

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1

Filomena Yeroshek,
Chief Counsel

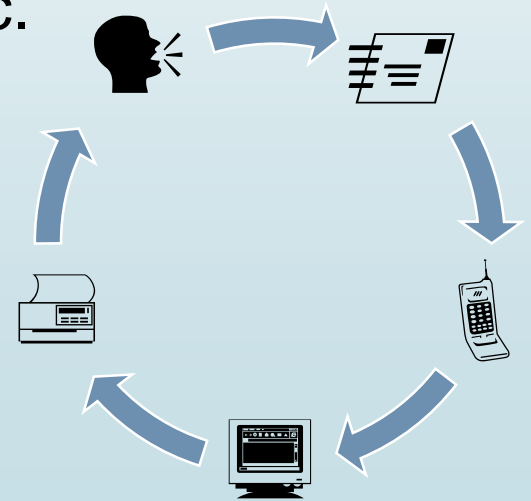
March 21, 2019

Basic Requirements

- ✓ **Adequate Notice:**
 - 10 calendar days posted on the internet
 - Agenda has brief description of the items with enough details to inform the public of the subject
- ✓ **Open Session:**
 - Meetings must be open to the public with limited exceptions for Closed Session
- ✓ **Public Comment:**
 - Public comment before or during discussion or consideration of an item to inform decision makers

What is a Meeting?

- A “**congregation**” of a majority of the Committee members to hear, discuss, or deliberate
- “**Congregation**” also includes:
 - Serial or series of communication
 - Phone calls, texts, emails, etc.
- Non-public “congregation” is **prohibited**



Serial Calls, Texts, Emails, etc

- ▶ Cannot have a series of one-to-one telephone calls, texts, or emails between Committee members to discuss a Committee topic.

Example

Member “A” emails member “B”; member “B” emails member “C”; member “C” emails member “D” and so forth.

Teleconference Option 1

- ▶ Location of each Committee member must be identified in the notice and agenda and the location must be open to the public.
 - ▶ Committee member's name is not listed on the notice/agenda
- ▶ At least one Committee member must be physically present at the main location listed in the notice/agenda.
- ▶ Each Committee member whose address is listed in the notice count toward a quorum.

Teleconference Option 2

- ▶ Committee member may participate in a teleconference meeting from a “remote location”.
 - ▶ Address of “remote location” is not required to be listed on the notice/agenda
- ▶ At least 24 hour notice must be given to the public of the name of the member who is participating from a remote location.
- ▶ Majority of Committee members must be physically present at the main location listed in the notice/agenda.
- ▶ A Committee member participating from a remote location does not count toward a quorum.

The Meeting

- ▶ Committee cannot discuss or take action on items that are not on the agenda.
- ▶ Opportunity for public comment

Copies of Documents

- Documents given to all or a majority of the Committee members must be made available for public inspection at the meeting.
- No requirement to post documents in advance.

QUESTIONS?