

Board Statement Regarding Prior Brown Act Violations

The Board acknowledges that between 2020 and 2023, it committed violations of California's Open Meeting Law known as the Brown Act. These violations include holding closed sessions when it was not authorized by law to do so, holding emergency meetings when no emergencies existed, and not properly agendaing matters on the Board's meeting agendas. In committing these violations, the Board violated the public's right to publicly participate in all phase of the Board's decision making and democratic process.

The Board's violations of the Brown Act and the Public Records Act resulted in litigation that sought to compel the Board to cease future violations of the Brown Act and to turn over all records responsive to the Public Records Act request. The Board has entered into a Settlement Agreement to resolve the litigation. The terms of the Settlement Agreement require (1) that the Board record its closed sessions for a period of 15 months; (2) that each new member receive Brown Act training within 45 days of being appointed or elected to the Board; (3) that the Board develop policies and procedures for responding to Public Records Act requests that seek public records contained on personal devices or email accounts of the Board members or the District's employees; (4) that the Board post a link to copy of this Settlement Agreement together with the First Amended Verified Petition in a conspicuous place on its website homepage for a period of no less than three years , and (5) pay \$35,000 to Mr. Fatheree's attorney for attorney's fees incurred by Mr. Fatheree in bringing the litigation against the Board.