

RESOLUTION NO. 2024-01

RESOLUTION OF THE NAPA COUNTY WATERSHED INFORMATION & CONSERVATION COUNCIL TO PROACTIVELY CURE AND CORRECT POTENTIAL BROWN ACT AND MADDY ACT VIOLATIONS REGARDING THE NAPA WATERSHED SYMPOSIUM

WHEREAS, the Ralph M. Brown Act, commonly known as the "Brown Act" is California's sunshine law for local government. The Brown Act requires local government business to be conducted at open and public meetings, except in certain limited situations; and

WHEREAS, Government Code Section 54954.2 of the Brown Act provides that the legislative body shall post an agenda containing a brief general description of each item of business to be transacted or discussed at least 72 hours before a regular meeting; and

WHEREAS, Government Code Section 54970, commonly known as the Maddy Act, also applies to legislative bodies and provides that citizens receive notice of the opportunity to serve on advisory boards, commissions, and committees; and

WHEREAS, on February 26, 2024, the Napa County Watershed Information and Conservation Council ("WICC") held a regular meeting, at which the Council discussed and acted on the business items listed on the agenda, including item 5E. Napa Watershed Symposium 2024 ("Symposium"); and

WHEREAS, agenda item 5E. states "Napa Watershed Symposium 2024 – Discussion and Planning;" and

WHEREAS, during discussion of item 5E., WICC members considered goals and initial ideas for the Symposium. In an effort to kick off the planning process, several WICC members expressed interest in helping plan the event; and

WHEREAS, after the meeting, Staff created a list of individuals including WICC members and members of the public interested in discussing topics, speakers, and matters related to the Symposium. This group of individuals could be considered a sub-committee or other subsidiary body, subject to the Brown Act and Maddy Act, that was not described on the agenda or discussed during the meeting; and

WHEREAS, this informal group which included some WICC members and members of the public met on April 16, 2024 and July 18, 2024 to discuss ideas and other planning items related to the Symposium; and

WHEREAS, because the WICC may have inadvertently and unintentionally created a sub-committee subject to the Brown Act and the Maddy Act at its February meeting, Staff recommended that WICC proactively cure any potential violations; and

WHEREAS, out of an abundance of caution, Staff hereby advises members of the committee as well as the group of volunteers interested in Symposium planning to cease any communications and cancel any future meetings outside of an agendaized WICC meeting related to planning the Symposium; and

WHEREAS, in the event WICC desires to create a subcommittee, it will schedule said action on a future agenda to discuss formal creation and appointment of a subcommittee; and

WHEREAS, Napa Resource Conservation District Staff and County Staff will continue to plan for the successful execution of the Symposium in fall 2024; and

WHEREAS, while no complaint or written demand for cure and correction of the alleged violation was received, and any potential violation was inadvertent, the WICC proactively desires take steps necessary to cure and correct any potential violation as provided for in the Brown Act.

NOW, THEREFORE, BE IT RESOLVED by the Napa County Watershed Information and Conservation Council as follows:

1. That the WICC dissolves the creation or establishment of an inadvertent subcommittee related to Business Item 5E. Napa Watershed Symposium 2024, if any was created;
2. Return Business Item 5E. Napa Watershed Symposium 2024 to the WICC agenda for discussion.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Napa County Watershed Information and Conservation Council, State of California, at a special meeting of the Council held on the 24th day of October 2024, by the following vote:

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| AYES: | MEMBERS | _____ |
| | | _____ |
| NOES: | MEMBERS | _____ |
| | | _____ |
| ABSENT: | MEMBERS | _____ |
| | | _____ |

Michelle Benvenuto, Chair of
Watershed Information and Conservation Council

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| <p>APPROVED AS TO FORM Office of County Counsel</p> <p>By: <u>McKayla McMahon (e-signature)</u> Deputy County Counsel</p> <p>Date: <u>08/14/2024</u> Doc. No. 117679</p> | <p>APPROVED BY THE NAPA COUNTY WATERSHED INFORMATION AND CONSERVATION COUNCIL</p> <p>Date: _____ Processed By: _____ Clerk</p> |
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