

SECTION 9

REGULAR MEETINGS OF THE BOARD OF DIRECTORS

Per Resolution NO. 1149-14 regular meetings of the Board of Directors shall be held on the fourth Tuesday of each month with open session commencing at 5:30 p.m. at the Feather River Activity Center, 1875 Feather River Blvd., Oroville, California, and are intended to facilitate the business meeting in a timely and efficient manner. However, any other time and place that meets with the approval of most of the Board and is within the District may be designated for a regular meeting of the Board. It shall be the duty of the General Manager and staff to make available an agenda and Board packet to each Director by 5:00 p.m. on the Thursday prior to the Tuesday meeting. However, all business transacted at a regular meeting at which there is a constituted quorum of Directors shall be valid and binding. Should any regularly scheduled meeting fall upon the week of a legal holiday, then said meeting shall be held either the Tuesday before or Tuesday after the scheduled meeting per the Board's recommendation made at a regular board meeting. If the meeting is a regular meeting, i.e., occurs on the body's regular day, without a special meeting call, the agenda must be posted 72 hours in advance (Section 54954.2(a)). All regular meetings must comply with the Ralph M. Brown Act.

A quorum of the Directors may adjourn any Director's meeting to meet again at a stated day and hour; provided, however, that in the absence of a quorum, most of the Directors present at any Directors' meeting, either regular or special, may adjourn the meeting. The Chairperson cannot adjourn the meeting without the consent of the majority. If a majority vote cannot be reached to adjourn a meeting with the absence of a quorum, the meeting will adjourn 30 minutes after the scheduled start of the meeting, at which time the meeting will be rescheduled.

SECTION 10

SPECIAL MEETINGS OF THE BOARD OF DIRECTORS

The Chairperson or most of the Board may call a special meeting at any time, provided it meets all Ralph M. Brown Act requirements. Special meetings should be conducted at the Feather River Activity Center but may be scheduled at another location within the District boundaries if most of the Directors concur. It shall be the General Manager's duty to make available an agenda to each Director a minimum of 24 hours before each special meeting. For special meetings, the call to the meeting and the agenda (which are typically the same) must be posted at least 24 hours in advance (Section 54956).

CLOSED SESSIONS, EXCLUSIONS:

Closed sessions may be conducted by the Board of Directors of the District as permitted under the Ralph M. Brown Act, as set for the in-Government code Sections 54956.7, et seq.

- Matters affecting national and public buildings security.

- The appointment, employment, or dismissal of an employee or to hear complaints or charges brought against such employee by another officer, person, or employee unless such officer or employee requests a public hearing. Said body also may be excluded from any such public or private meeting, during the examination of a witness, any or all other witnesses in the matter being investigated by the legislative body.
- To confer on matters of litigation.

The act further enables the Board, pursuant to Government Code 54957.6, to meet prior to labor negotiations sessions to instruct its representatives concerning discussions regarding salaries and fringe benefits.

Per Resolution No. 1188-12 establishing a formal policy, that there shall be no audio or video recording of closed session meetings.

UNLAWFUL MEETINGS PENALTY:

Each member of a legislative body who attends a meeting of such legislative body where action is taken in violation of any provision of this chapter, with knowledge of the fact that the meeting is in violation thereof, is guilty of a misdemeanor.

MANDAMUS OR INJUNCTION:

Any interested person may commence an action either by mandamus or injunction for the purpose of stopping or preventing violations or threatened violations of this chapter by members of the legislative body of a local agency.

COURT COSTS:

A court may award court costs and reasonable attorney fees to the plaintiff in an action brought pursuant to Section 54960 where it is found that the local agency has violated the provisions of this article. Such costs and fees shall be paid by the local agency and shall not become a personal liability of any public officer or employee thereof. A court may award court costs and reasonable attorney(s) fees to a defendant in any action brought pursuant to Section 54960 where the defendant has prevailed in a final determination of such action and the court finds that the action was clearly frivolous and totally lacking in merit.