

PRESS RELEASE

FOR IMMEDIATE RELEASE:

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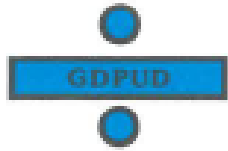
EXECUTIVE ORDER RELATED TO THE BROWN ACT FOR LOCAL BOARD MEETINGS

On March 17, 2020, Governor Gavin Newsom issued Executive Order N-29-20, which follows the March 4 declaration of a State of Emergency in California as a result of the threat of COVID-19. The order states that “a local legislative body or state body is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body[.]” In particular, the March 17 executive order states that a legislative body “need **not** make available any physical location from which members of the public may observe the meeting and offer public comment.”

This means that during the time the Governor’s State of Emergency remains in effect, the members of a board of directors are permitted to each teleconference (or web-conference) from a remote location without the requirement to include the board members’ remote location on the agenda, or open that location to the public, or post an agenda at that location. The executive order urges all local governments to “use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the provisions of...the Brown Act, and other applicable local laws regulating the conduct of public meetings, in order to maximize transparency and provide the public access to their meetings.”

Meetings by teleconference will satisfy all Bagley-Keene and Brown Act requirements so long as the local and state bodies do the following:

- The body must implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation for disabled individuals, consistent with the Americans with Disabilities Act, in favor of accessibility; and



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- The body must advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer comment, consistent with the notice requirements below; and
- The body must give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes required by the Bagley-Keene Act or the Brown Act; and
- At the same time it posts the meeting time and agenda, the local or state body must also give notice of the means by which members of the public may observe the meeting and offer public comment, whether by teleconference call-in number or otherwise. Should the means of public observation and comment change, or for any meeting agenda that was posted before this Order was issued that did not provide notice of such means, a body can meet this requirement by posting notice of such means on its website.

These requirements will apply only during the period in which state or local public health officials have imposed or recommended social distancing measures.

As before, this new Order continues to urge state and local governments to “use sound discretion and... to adhere as closely as reasonably possible” to the requirements of California’s open meeting laws as the state continues its efforts to address the COVID-19 pandemic. The full text of Executive Order N-29-20 may be found [here](#).

Georgetown Divide Public Utility District is coordinating efforts with its legal counsel, Churchwell White, LLP, to ensure Brown Act Requirements are executed.

If you have any questions or concerns, you are welcome to contact the District Office via email to Interim General Manager Jeff Nelson at gm@gd-pud.org.

To learn more about the Georgetown Divide Public Utility District, go to www.gd-pud.org.