

Date: August 2, 2008

To: Chairperson Janet Barron & Executive Committee

From: Lee Riggan

Issue: Illegal Secret Meetings

I move that the Agenda of August 2, 2008 be approved with the deletion of Item 6, Executive Committee Report. I ask that my motion be seconded and voted to pass.

Discussion:

1. Bylaws state that the Executive Committee meets to prepare the agendas for the monthly Commission meetings which shall be distributed in accordance with the requirements of the Brown Act.
2. There is nothing I am sorry to say about the members selected to serve on the Executive Committee meeting to decide the slate of officers. I am sorry to say that because I thought it did. Even Article 6.2 Meetings doesn't say the Executive Committee is to have meetings.
3. Therefore, from this I believe those who met as the Executive Committee may have met three times. I did not receive a notice of these meetings. Where were these notices posted? The meetings were 1) Selecting the Slate (all under the impression this was a legal meeting); 2) Revising and re drafting the Guidelines before the Special Meeting of July 23; 3) Meeting (may or may not have been a meeting) listed on the agenda as Item 6. Executive Committee Report.
4. If the Executive Committee Report was not a meeting but put together by phone or email it is probably not allowed under the Brown Act. In fact there is nothing in our bylaws that give the Executive Committee any other authority than to develop the slate of officers for all commissioners to vote on.
5. Brown Act – The purpose of the Brown Act is to say that the public has a right to know and a right to be present. The way the meetings of the Executive Committee do not meet the requirements of the Brown Act. In fact I believe if any meetings were held they were in violation of the Brown Act. The Executive Committee has no authority to meet.
6. Present situation – The Executive Committee can not report. Someone can propose the item because it is on the agenda and the public is aware. But someone bringing it up cannot say that the Executive Committee proposes such and such.
7. Behavior such as this can result in the elimination of the VCCW. The question is "What is it that your members don't want the public to know?"
8. Agenda – The bylaws allow the Executive Committee to develop the agenda but say nothing about meeting to do so. A meeting, even if in the bylaws, must be noticed. Robert's Rules of Order, Newly Revised, 10th Edition on page 443 line 18-22 and page 118 line 21-28 speak of the Secretary's job. She is to prepare the agenda according to the order of business which in the VCCW Bylaws, Article 6.2.E gives this; then commissioners at each meeting state what they want on the agenda, and then using the bylaws, standing rules, our policies tell us what to put on the agenda. Finally the individual commissioner writes to the Chair or Secretary and asks for an item to be placed on the agenda.
9. Bylaws changes may be considered for this issue and bylaw changes have been reported to the VCCW from the Bylaws & Standing Rules Committee. I hope they will be presented soon. But at this time I am bringing to the VCCW notice an issue of illegal/secret meetings.