

From: Page, Leon
Sent: Tuesday, March 28, 2017 6:04 PM
To: Brendan Hamme
Cc: Braun, Carrie
Subject: Re: Brown Act and First Amendment Violations at Board of Supervisors' Meetings

Hi Brendan,

Thank you for your email -- and thank you also for taking the time to speak at the Board meeting today. You are a gifted public speaker.

As you may have noticed, public participation in the Board's regular meetings has actually *skyrocketed* since the Board's November 8, 2016 adoption of amendments to the Board's Rules of Procedure. These amendments brought the opportunity for public comment forward to the beginning of each regular meeting (and provide the public with an opportunity to address the Board before the items of business on the regular meeting agenda are considered).

In light of the concerns expressed in your letter, we compared the number of public speakers participating in the seven regular meetings before and after November 8, 2016, and found that the number of individual speakers more than *tripled* as a result of this positive change in the Rules. Members of the public now have the benefit of a "time certain" as to when they can provide public comments to the Board, and may do so regardless of whether the issues they wish to address involve items that are included on the regular meeting agenda.

Over the next few days, and consistent with the Board's desire to encourage greater levels of public participation, I will be preparing, for Board consideration and possible adoption at the next meeting on April 11, 2017, amendments to the Board's Rules of Procedure to (1) eliminate the existing (and presently unenforced) 20-minute limit in Rule 45 on the cumulative amount of time allocated for public comment, and (2) clarify the existing prohibition on signs in Rule 48, to ensure that only those signs that actually disrupt the Board meetings are prohibited in the Board room.

The item of business will be prepared as a supplemental agenda item that should be posted publicly by the middle of next week. I look forward to hearing your comments on this item.

Thank you again for the email and for attending the meeting today.

Leon J. Page
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On Mar 28, 2017, at 5:22 PM, Brendan Hamme <BHamme@ACLUSOCAL.ORG> wrote:

Hi Leon,

I hope you're doing well. I just wanted to check in and see how the Board's consideration of our letter went.

Regards,
Brendan

From: Page, Leon [<mailto:Leon.Page@coco.ocgov.com>]
Sent: Friday, March 24, 2017 1:48 PM
To: Brendan Hamme <BHamme@ACLUSOCAL.ORG>
Subject: RE: Brown Act and First Amendment Violations at Board of Supervisors' Meetings

Hi Brendan,

With respect to **CS-1** on the regular meeting agenda for March 28, 2017,

CS-1. **County Counsel - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** - Pursuant to Government Code Section 54956.9(d)(2):
Number of Cases: One Case

If a member of the public were to demand to know the legal basis for the closed session – those “existing facts and circumstances” leading me to believe that the County has significant exposure to litigation – I would produce, upon request and without delay, the attached letter, per Government Code section 54956.9, subdivision (e)(3) and section 54957.5.

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From: Brendan Hamme [<mailto:BHamme@ACLUSOCAL.ORG>]
Sent: Friday, March 24, 2017 1:33 PM
To: Page, Leon
Subject: RE: Brown Act and First Amendment Violations at Board of Supervisors' Meetings

Hi Leon,

I wanted to follow up and see if our letter will be considered by the Board at this Tuesday's meeting. Thanks!

Regards,
Brendan