

Bond Case Briefs

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MUNICIPAL GOVERNANCE - CALIFORNIA

Golightly v. Molina

Court of Appeal, Second District, Division 3, California - September 25, 2014 - Cal.Rptr.3d - 2014 WL 4756948

Taxpayer brought action against county and board of supervisors for waste of public funds, violation of the Brown Act, declaratory relief for ultra vires acts, and conflicts of interest, alleging that procedure by which county enters into Social Program Agreements (SPAs) with social service organizations that provide social services to county residents is subject to the Brown Act's open meeting requirements. The Superior Court entered summary judgment for county and in separate judgment denied taxpayer's request for attorney's fees. Taxpayer appealed.

The Court of Appeal held that:

- Procedure by which county entered into SPAs did not involve collective deliberation and thus was not subject to the Brown Act's open meeting requirements;
- Government Code permitted county to delegate its authority to enter into SPAs;
- Board of supervisors retained control over fundamental policy decisions such that delegation of authority to enter into SPAs to county CEO was not unconstitutional;
- Approval process for SPAs had adequate safeguards; and
- Failure to appeal order denying attorney's fees precluded Court of Appeal from considering whether taxpayer was entitled to catalyst attorney's fees.