

**RESOLUTION NO. 2004-10**

**A RESOLUTION OF THE SACRAMENTO GROUNDWATER AUTHORITY  
ADOPTING A POLICY FOR THE LIMITED DISCLOSURE OF INFORMATION  
OBTAINED IN CLOSED SESSION MEETINGS OF THE SACRAMENTO  
GROUNDWATER AUTHORITY**

WHEREAS, the Sacramento Groundwater Authority (“Authority”) is a joint powers agency formed by the County of Sacramento and the Cities of Citrus Heights, Folsom and Sacramento pursuant to the Joint Exercise of Powers Act (Cal. Gov. Code section 6500, et seq.); and

WHEREAS, the mission of the Authority is to manage, protect and sustain the groundwater resources of the basin of Sacramento County north of the American River consistent with the Water Forum Agreement for the benefit of the water users within the basin, and to coordinate with other water management entities and activities throughout the region; and

WHEREAS, the Board of the Authority has need on occasion to enter into closed session meetings consistent with the requirements and limitations set forth in the Ralph M. Brown Act (Cal. Gov. Code section 54950, et seq.), for the purpose of discussing confidential information affecting the Authority; and

WHEREAS, Assembly Bill No. 2782 (AB 2782) was enacted by the California Legislature and signed into law by the Governor on September 24, 2005; and

WHEREAS, AB 2782 added Section 54956.96 to the Government Code in order to allow joint powers agencies to adopt policies authorizing limited disclosure of confidential information obtained in closed session meetings; and

WHEREAS, the Board of the Authority finds that there may be situations when it is in the common interest of the Authority and its member agencies to permit limited disclosure of confidential information obtained by the Directors in closed session, under specified conditions.

**NOW THEREFORE, BE IT RESOLVED THAT:**

1. All information received by a Director of the Authority in a closed session meeting conducted under the Ralph M. Brown Act (Cal. Govt. Code section 54950, et seq.) is confidential and shall not be disclosed to any person not authorized to receive it, except as provided below.
2. Notwithstanding paragraph 1, when a Director of the Authority is also a member of the legislative body of one of the Authority’s member agencies, that Director may disclose otherwise confidential information obtained in closed session to the following individuals:
  - a. Legal counsel to the Director’s member agency, for purposes of obtaining advice on whether the matter has direct financial or liability implications for that member agency.

b. Other members of the legislative body of the Director's member agency when present in a closed session of that member agency.

3. A Director may only disclose confidential information if the Board determines, in closed session, that such information has direct financial or liability implications for the member agencies.

4. If the Board authorizes limited disclosure of confidential information under paragraphs 2 and 3, then a legislative body of a member agency of the Authority, upon the advice of its legal counsel, may conduct a closed session in order to receive, discuss, and take action concerning information obtained in closed session of the Authority.

***PASSED AND ADOPTED*** by the Board of Directors on the 9<sup>th</sup> of December, 2004.

By: \_\_\_\_\_  
Chairperson, Sacramento Groundwater Authority

Attest: \_\_\_\_\_  
Executive Director, Sacramento Groundwater Authority