

Deliberate Delay in Prosecuting Brown Act Claims Warranted Dismissal Under Laches Doctrine



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Julian-Cuyamaca Fire Protection District requested the San Diego Local Agency Formation Commission to dissolve the District and have the County of San Diego assume fire prevention services in the area. Two weeks later, the Julian Volunteer Fire Company Association sued, alleging the District had violated the open meeting laws of the Brown Act in its approval of the resolution requesting dissolution. While the lawsuit was pending, the dissolution proceedings moved forward: The County voted to seek to expand its sphere of influence over the District's functions and serve as its successor agency, and LAFCO held a special election, resulting in a majority vote favoring the District's dissolution. After the election, the Volunteer Association filed a motion asking the court to enter judgment in its favor on its Brown Act claims. On appeal, the court found that the Volunteer Association's Brown Act claims were barred by the laches doctrine because plaintiff unreasonably delayed in prosecuting its claims and prejudice resulted. The Volunteer Association did not seek a ruling on the merits until almost a year after filing suit, at which point LAFCO's special election results had already been announced and the entire LAFCO process had been completed. The Volunteer Association "made a deliberate decision to wait and see whether the same result could be achieved through means other than pursuing its Brown Act allegations." But Brown Act claims are "subject to an unusually short limitations period because it is vital that the validity of an agency's actions be resolved expeditiously." In light of this policy, coupled with the policy

underlying the LAFCO Act to ensure orderly and efficient transfers of authority, a party could not justify waiting to resolve Brown Act allegations merely because other avenues existed for obtaining the same result. By waiting until after the proceedings were complete to seek adjudication of its Brown Act claims, the Volunteer Association caused County and LAFCO to incur substantial and potentially unnecessary costs to comply with statutorily required procedures. Such a result would be "inequitable to the District voters, LAFCO, and County under the circumstances." Because the Volunteer Association's tactical delay resulted in significant prejudice to LAFCO, the County and the public, its Brown Act claims were barred by laches.

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