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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF SAN DIEGO – CENTRAL DIVISION
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11 ARTURO CASTAÑARES,) CASE NO. _____
12 Plaintiff and Petitioner,)
13 vs.) **VERIFIED COMPLAINT FOR**
14 UNIFIED SAN DIEGO COUNTY EMERGENCY) **DECLARATORY AND INJUNCTIVE**
SERVICES ORGANIZATION; and DOES 1) **RELIEF AND PETITION FOR WRIT OF**
15 through 100,) **MANDATE UNDER THE RALPH M.**
16 Defendants and Respondents.) **BROWN ACT AND OTHER LAWS**

17 Plaintiff and Petitioner ARTURO CASTAÑARES ("PLAINTIFF") alleges as follows:

18 **Introductory Statement**

19 1. PLAINTIFF brings this lawsuit under the Ralph M. Brown Act ("Brown Act"), as well
20 as the California Constitution and other applicable legal authorities for the purpose of ensuring that
21 legislative bodies deciding how public monies are spent for public-safety purposes make those decisions
22 transparently, with members of the public being given notice of the subject matter, notice of the
23 meetings at which the subject matter will be considered, and an opportunity to express their views to
24 the decision-makers – all before the meetings occur and the decisions are made.

25 **Parties**

26 2. PLAINTIFF is a journalist and the publisher of *La Prensa San Diego*. In this capacity,
27 one of his primary roles as a government "watchdog" is ensuring that public agencies comply with all
28 applicable laws aimed at promoting transparency and accountability in government.

1 exercise their discretion within the limits of and in a manner consistent with those laws.
2 Defendants/Respondents have had and continue to have the capacity and ability to act in a manner
3 consistent with those laws, but they have failed and refuse to do so and have exercised their discretion
4 beyond the limits of and in a manner that is not consistent with those laws.

5 **FIRST CAUSE OF ACTION:**
6 **Violation of Open-Government Laws**
(Against All Defendants/Respondents)

7 9. The preceding allegations in this pleading are fully incorporated into this paragraph.

8 10. PLAINTIFF is informed and believes and on that basis alleges:

9 A. The San Diego County Unified Disaster Council (“SDCUDC”) is USDCESO’S
10 governing body, is a policy-making body, and is a “legislative body” within the meaning of Government
11 Code Section 54952.

12 B. SDCUDC created a sub-committee known as the Urban Area Working Group
13 (“UAWG”), which is also a “legislative body” within the meaning of Government Code Section 54952.
14 Among other things, the UAWG approves U.S. Department of Homeland Security Urban Areas
15 Security Initiative (“UASI”) program grant funds based, at least in part, on recommendations from the
16 Regional Technology Partnership (“RTP”).

17 C. Within the last 30 days, the RTP reviewed and vetted more than \$21,000.000.00
18 in requests from law-enforcement agencies in San Diego County for UASI funding for fiscal year 2021.

19 D. The UAWG is scheduled to conduct a “meeting” within the meaning of
20 Government Code Section 54952.2 on or around December 16, 2020, to consider the RTP’s
21 recommended funding priorities for fiscal year 2021. At the meeting, a majority of the members of the
22 UAWG will make a collective decision, a collective commitment or promise to make a positive or a
23 negative decision, or an actual vote when sitting as a body or entity, upon a motion, proposal, resolution,
24 order, or ordinance.

25 E. The UAWG’s upcoming meeting will violate the Brown Act in one or more
26 ways. By way of example and not limitation:

27 i. The UAWG has not posted an agenda for the upcoming meeting prior to
28 holding the meeting.

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF San Diego

I have read the foregoing COMPLAINT FOR DECLARATORY, INJUNCTIVE, AND OTHER EQUITABLE RELIEF AND PETITION FOR WRIT OF MANDATE etc. and know its contents.

CHECK APPLICABLE PARAGRAPH

I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I am an Officer a partner a of

a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I am one of the attorneys for a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on December 15, 2020, at San Diego, California. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Arturo Castañares
Type or Print Name

[Signature]
Signature

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF

I am employed in the county of, State of California. I am over the age of 18 and not a party to the within action; my business address is,

On, 20, I served the foregoing document described as

on in this action
by placing the true copies thereof enclosed in scaled envelopes addressed as stated on the attached mailing list:
by placing the original a true copy thereof enclosed in sealed envelopes addressed as follows:

BY MAIL
I deposited such envelope in the mail at, California.
The envelope was mailed with postage thereon fully prepaid.
As follows I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on, 20, at, California.

*(BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee. Executed on, 20, at, California.

(State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct. I (Federal) declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Type or Print Name

Signature

(By MAIL SIGNATURE MUST BE OF PERSON DEPOSITING ENVELOPE IN MAIL SLOT, BOX, OR BAG)
*(FOR PERSONAL SERVICE SIGNATURE MUST BE THAT OF MESSENGER)