



Meeting: **Reservoir Committee & Authority Board**  
**Agenda Item 2.5**

**March 20, 2026**

Subject: **Consider and possible action on Brown Act Cease and Desist Request**

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**Requested Action:**

Reservoir Committee and Authority Board consider and possibly take action on the Brown Act cease and desist letter received on March 9, 2026.

**Detailed Description/Background:**

The Authority received a letter from an attorney representing the North Coast States Carpenters Union dated February 25, 2026, on March 9, 2026. The letter makes allegations of Brown Act violations at the Sites Coordination Committee meeting on February 11, 2026, and the Legislative and Outreach Committee meeting on February 12, 2026. The attorney's letter is Attachment A. The letter requests a cease and desist of the alleged violations and discipline of the Executive Director. The attorney's concerns generally involve the fact that Authority Staff removed either unauthorized or unidentified members of the public from each public meeting, respectively. The Authority Staff response letter of March 16, 2026, is Attachment B and addresses the allegations. The attorney clarified via an email on March 13, 2026, her expectation that the Board would address her letter appropriately, following the requirements of Government Code Section 54960.2 at the March 20 Board Meeting. The attorney's email is Attachment C. Authority Staff, in consultation with Legal Counsel, is including this item on the agenda to allow the Board to consider the request and possibly act on the requests in the letter as it feels is appropriate and necessary.

**Fiscal Impact/Funding Source:** None.

**Prior Actions:** None.

**Staff Contact:** Jerry Brown/Alan Doud

**Attachments:** Attachment A – Shanley Letter on Behalf of North Coast States Carpenters Union dated February 25, 2026.

Attachment B – Authority Response Letter dated March 16, 2026.

Attachment C - Shanley March 13, 2026 e-mail clarifying requested action.

Attachment D – Document to be provided as a supplemental attachment to this staff report. It was not available at the time of the 72-hour agenda posting and is being made publicly available concurrent with its distribution to the Board in accordance with the applicable Brown Act requirements.

**SHANLEY**  
ATTORNEYS AT LAW

RECEIVED

MAR 09 2026

SITES PROJECT AUTHORITY

Andrea C. Matsuoka  
Shanley, APC  
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Sacramento, CA 95838  
amatsuoka@shanleyapc.com  
(213) 488-7782

February 25, 2026

**VIA U.S. Mail & Email**

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Sites Project Authority  
122 Old Highway 99 West  
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info@sitesproject.org

Wendy Ambriz  
Board Clerk  
Sites Project Authority  
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Maxwell, CA 95955  
wambriz@sitesproject.org

**Re: Sites Project Authority Must Cease and Desist Its Violations of California's Ralph M. Brown Act**

Dear Sites Project Authority,

We write this letter on behalf of our client, the North Coast States Carpenters Union ("Carpenters"), to inform the Sites Project Authority ("Authority") that it is violating fundamental open meeting and public participation requirements under California law.

The Ralph M. Brown Act, Government Code § 54950 *et seq.* ("Brown Act"), is California's open meeting law and was enacted to provide transparency and public access to deliberations and actions of local agencies. The foundational principle of the Brown Act is that members of the public have the right to understand, question, and contribute to the decision-making processes of local legislative bodies. The Authority's Board and standing committees, including the Sites Coordination Committee and the Sites Legislative & Outreach Committee, are local legislative bodies under the Brown Act that must comply with the Act's requirements.<sup>1</sup>

Yet, based on the Carpenters' experience described below, the Authority has repeatedly failed to comply with the Brown Act's open meeting requirements. By this letter, the Carpenters formally request that the Authority cease and desist its violations of the Brown Act, most recently observed during the February 11 and 12, 2026 Sites Coordination Committee and Sites Legislative & Outreach Committee meetings respectively.

**I. Sites Coordination Committee Violates Brown Act by Kicking Out Member of the Public from February 11, 2026 Committee Meeting**

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<sup>1</sup> <https://sitesproject.org/sites-project-authority/>; *McKee v. Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force*, 134 Cal.App.4th 354 (2005).

The Brown Act requires legislative bodies to conduct “open meetings” by conducting deliberations and taking actions openly and ensuring that “all persons shall be permitted to attend any meeting of a legislative body” absent narrow exceptions.<sup>2</sup> Additionally, the Brown Act mandates that local legislative bodies “shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or the acts and omissions of the legislative body.”<sup>3</sup> Violations of these Brown Act requirements trigger injunctive relief, declaratory relief, court costs, reasonable attorney’s fees and, in the case of “willful” violations, even criminal consequences for legislative body members.<sup>4</sup>

On February 11, 2026, the Sites Coordination Committee held its regular meeting. A Carpenters representative, Matthew Beeston, virtually attended this meeting via Teams and was able to log in and observe the first approximately 40 minutes of the meeting. However, about 40 minutes through the meeting, in the middle of the open session portion of the meeting, Jerry Brown, the Authority’s Executive Director and Sites Coordination Committee member, made an alarming comment: he announced he was checking the meeting attendee list to confirm that everyone present was “friendly.” Beeston was the only member of the public attending the meeting at least via Teams but, as he was logged in under an alias, apparently did not raise any alarm bells for Jerry Brown, who began speaking about a recent meeting he attended with the State Water Resources Control Board. However, when Jerry Brown’s fellow committee members, Fritz Durst and Robert Kunde, began speaking on the same item and offered a more pessimistic account of that same meeting, Beeston was promptly ejected from the committee meeting.

By ejecting Beeston from its February 11 meeting, the Sites Coordination Committee violated the Brown Act’s mandate that “all persons shall be permitted to attend any meeting of a legislative body” absent narrow exceptions inapplicable here. In fact, by kicking out Beeston—the only attending member of the public—from the meeting, the Committee ensured that its Feb 11 meeting was a *closed* meeting rather than an open meeting as the Brown Act requires. Moreover, given the Committee removed Beeston from the meeting just after Jerry Brown stated he was checking whether everyone in attendance was “friendly” and the conversation turned more controversial, Beeston’s removal appears to amount to a preemption of public criticism, which is a further violation of the Brown Act.

Given the above, we ask that the Authority immediately ensure its legislative bodies, including the Sites Coordination Committee and Committee Member Jerry Brown, refrain from further violations of the open meeting and public criticism requirements of the Brown Act.

## **II. Sites Legislative & Outreach Committee Violates Brown Act by Kicking Member of Public Out of February 12, 2026 Committee Meeting**

As explained in the section above, the Brown Act requires legislative bodies to hold open meetings and to ensure any person be permitted to attend any meeting absent narrow exceptions inapplicable here. Further, the Brown Act states that members of the public cannot be required to register their names, provide other information, complete questionnaires, or meet any other condition to attend the

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<sup>2</sup> CAL. GOV. CODE §§ 54953, 54950.

<sup>3</sup> CAL. GOV. CODE § 54954.3(c).

<sup>4</sup> CAL. GOV. CODE §§ 54960, 54960.5, 54959.

meeting.<sup>5</sup> If any attendance list, questionnaire, or similar document is circulated during the meeting, it “shall clearly state that the . . . completion of the document is voluntary, and that all persons may attend the meeting regardless of whether a person signs, registers, or completes the document.”<sup>6</sup> As stated above, violations of the Brown Act triggers not only civil remedies but also criminal consequences in the case of willful violations.

On February 12, 2026, the Sites Legislative & Outreach Committee held its regular meeting. Again, Carpenters representative Beeston virtually attended the meeting via Teams. Beeston was able to log in and, just as with the February 11 Sites Coordination Committee meeting, was the only member of the public present, at least via Teams. However, less than five minutes into this meeting, Jerry Brown, also a member of the Sites Coordination Committee, identified Beeston as an “outsider” and requested that Beeston unmute and identify himself. Jerry Brown did not state that this request was optional or otherwise need not be complied with. After Beeston did not identify himself for about 20 seconds, Beeston was promptly ejected from the meeting.

Just as with Sites Coordination Committee’s ejection of Beeston from its meeting just one day earlier, the Sites Legislative & Outreach Committee’s ejection of Beeston, the only member of the public attending via Teams, from its February 12 meeting violated the Brown Act’s general mandates that “all persons shall be permitted to attend any meeting of a legislative body” and that these meetings be open. Jerry Brown’s brazen labeling of Beeston as an “outsider,” similar to his questioning whether attendees were “friendly” at the committee meeting the day before, suggests that Beeston was removed from the meeting because he was a member of the public who might criticize the committee, and such a removal amounts to an additional violation of the Brown Act. Additionally, Jerry Brown and the Sites Coordination Committee violated the Brown Act by requesting that Beeston unmute and identify himself without also explaining that this request need not be complied with. The Brown Act is clear that members of the public need not identify themselves by name or provide any other information to attend open meetings of legislative bodies because it is their right to do so.

Finally, Beeston’s unceremonious removals from Sites Project Authority committee meetings two days in a row is alarming because it evinces a pattern of willful wrongful action by the Authority’s legislative bodies and, in particular by one common denominator, Authority Executive Director Jerry Brown.

Given the above, we ask that the Authority immediately ensure its legislative bodies, including the Sites Legislative & Outreach Committee and Committee Member Jerry Brown, refrain from further violations of the open meeting, public criticism, and public non-identification requirements of the Brown Act. We also ask that the Authority chastise and discipline Jerry Brown appropriately given his pattern of willful wrongful conduct.

### **III. The Authority’s Standing Committees Additionally Violated the Brown Act by Failing to Comply with the Act’s Agenda Description Requirement**

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<sup>5</sup> CAL. GOV. CODE § 54953.3.

<sup>6</sup> *Id.*

The Brown Act also requires that a legislative body's meeting agenda include a "brief general description" of each item of business to be transacted or discussed.<sup>7</sup> Agenda item descriptions "generally" do not need to exceed 20 words in length,<sup>8</sup> but do need to provide enough information to allow a person to make an informed decision whether they want to attend or participate in a discussion on an issue.<sup>9</sup>

The agendas of the two Authority committee meetings described above include descriptions such as "Finalizing Agreements," "Start of Investor Commitment," "Communication Team Report," "Manager's Report." The descriptions violate the Brown Act's "brief general description requirement" because they are barely descriptions at all and certainly do not give members of the public enough information to allow them to make informed decisions whether to attend and participate in the meetings.

#### IV. Conclusion

This letter has explained that two Sites Project Authority committees and a shared committee member and Authority Executive Director Jerry Brown, have repeatedly violated the Brown Act's open meeting and public participation requirements.

Pursuant to the Brown Act, please respond to this letter by **March 27, 2026** with an "unconditional commitment" to cease and desist from the Brown Act violations identified herein.<sup>10</sup>

Finally, in case it has not already been made abundantly clear, the Carpenters have every right to participate and will continue to attend meetings of the Sites Project Authority's Board and Committees. It is the individual Carpenter representative's choice to identify themselves or not, and if they do identify themselves they may do so as "Member of the Public," "Carpenter," their name, or an alias. The Carpenters look forward to continuing to monitor the Authority's deliberations and actions and participate as appropriate under whatever names they may choose, especially as the Authority procures a \$6 billion taxpayer-funded public project of statewide significance.

Please contact me at [amatsuoka@shanleyapc.com](mailto:amatsuoka@shanleyapc.com) or 213-488-7782 with any questions or concerns. We look forward to your prompt attention to this important matter.

Sincerely,



Andrea C. Matsuoka

Cc: Jerry Brown, Executive Director, via U.S. Mail

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<sup>7</sup> CAL. GOV. CODE § 54954.2(a)(1).

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<sup>9</sup> See *San Diegans for Open Gov't v City of Oceanside*, 4 Cal.App.5th 637, 643 (2016).

<sup>10</sup> CAL. GOV. CODE, § 54960.2(c).

#### SHANLEY

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February 25, 2026

**VIA U.S. Mail & Email**

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Wendy Ambriz  
Board Clerk  
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Please contact me at [amatsuoka@shanleyapc.com](mailto:amatsuoka@shanleyapc.com) or 213-488-7782 with any questions or concerns. We look forward to your prompt attention to this important matter.

Sincerely,



Andrea C. Matsuoka

Cc: Jerry Brown, Executive Director, via U.S. Mail

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<sup>10</sup> CAL. GOV. CODE, § 54960.2(c).

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March 16, 2026

Andrea C. Matsuoka  
Shanley, A Professional Corporation  
533 South Fremont Avenue, 9th Floor  
Los Angeles, CA 90071

Re: February 25, 2026 Correspondence Regarding Brown Act Compliance

Dear Ms. Matsuoka:

Thank you for your letter dated February 25, 2026, (received March 9, 2026) regarding meetings of the Sites Project Authority (“Authority”). The Authority appreciates receiving feedback regarding its public meeting practices and takes its obligations under the Ralph M. Brown Act (Gov. Code §54950 et seq.) seriously. The Authority remains committed to conducting its meetings in a manner that promotes transparency, public participation, and full compliance with applicable law.

After reviewing the matters referenced in your letter, I would like to convey my recollection of the circumstances surrounding the meetings discussed.

**February 11, 2026 – Sites Coordination Committee Meeting**

During the February 11 meeting, the Sites Coordination Committee proceeded into a properly agendized closed session in accordance with the Brown Act. As is standard practice, members of the public attending the meeting were removed from the virtual meeting platform when the Committee entered closed session so that the Committee could conduct its confidential discussion.

The account referenced in your letter was removed from the virtual meeting platform at that time, along with other public attendees, for this purpose. At no time was any member of the public denied access to the open portion of the meeting.

**February 12, 2026 – Sites Legislative & Outreach Committee Meeting**

During the February 12 meeting, an account joined the virtual meeting platform using credentials that I questioned being an actual person. Because virtual meetings occasionally experience participation from automated or unidentified accounts, I asked the participant to briefly identify themselves to confirm that the attendee was a member of the public attending the meeting. The intent of the request was to confirm that the participant was an actual person. There was not an intention to compel participants to identify themselves against their will.

When the account did not respond to this request, I removed the account from the meeting. This action was taken for meeting security purposes after providing an opportunity for the participant



Subject: February 25, 2026, Correspondence Regarding Brown Act Compliance

to identify themselves. The removal was not intended to limit public participation or prevent members of the public from attending the meeting. I would also note, the account did not return after the removal, which, if it had returned, would have been received as positive confirmation that it was an actual person.

The Authority will continue to preserve the orderly conduct of its meetings by attempting to confirm that remote participants are actual persons. At the same time, we will be mindful of your concerns at future meetings and will acknowledge that members of the public need not disclose their identities to participate.

### **Agenda Descriptions**

The Authority's meeting agendas are prepared in accordance with the Brown Act requirement that agenda items contain a brief general description of each item of business to be discussed or acted upon. The Authority will continue to review its agenda practices to ensure they provide clear and appropriate descriptions consistent with Brown Act guidance.

### **Conclusion**

The Authority values the ability of members of the public to attend and observe its meetings and will continue to administer its meetings in a manner consistent with the Brown Act while also maintaining appropriate meeting security for virtual platforms.

We appreciate your interest in the Authority's meeting practices and welcome continued engagement on these matters. I have shared your letter and my response with members of the Authority Board and the Reservoir Committee and have agendized an item for their consideration of your concerns at their March 20 Board Meeting.

Sincerely,



Jerry Brown  
Executive Director  
Sites Project Authority

cc: Board of Directors, Sites Project Authority  
Reservoir Committee, Sites Project Authority  
Alan Doud, Young Wooldridge, LLP



## Follow Up on Brown Act Cease & Desist Letter

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**From** Andrea Matsuoka <amatsuoka@shanleyapc.com>

**Date** Fri 3/13/2026 4:27 PM

**To** Wendy Ambriz <wambriz@sitesproject.org>

**Cc** Board Clerk <boardclerk@sitesproject.org>; Marcia Kivett <MKivett@sitesproject.org>; Laura Watson <lwatson@shanleyapc.com>

 1 attachment (218 KB)

Brown Act Cease & Desist Letter to Sites Project Authority FINAL 02.25.26.pdf;

Hi Ms. Ambriz,

Please confirm that you received the attached letter mailed to you on February 26, 2026, and that you shared a copy of the letter with each member of the Board. If you have not already done so, we request that you distribute the letter to all members of the Board immediately.

We also expect our letter to be included in the agenda packet for the next regular Reservoir Committee/Authority Board meeting on March 20 and that the Board address our letter appropriately, following the requirements of Gov. Code § 54960.2.

Thanks,

Andrea Matsuoka

**Shanley, APC**

4421 Pell Dr., Suite E

Sacramento, CA 95838

213.488.7782 direct

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