



## HAYWARD AREA SHORELINE PLANNING AGENCY

City of Hayward (COH)  
East Bay Regional Park District (EBRPD)  
Hayward Area Recreation and Park District (HARD)

### *Memorandum*

**DATE:** May 14, 2015

**TO:** Hayward Area Shoreline Planning Agency (HASPA) Trustees  
Hayward Area Shoreline Technical Committee (HASTAC)  
Agency Staff – COH, EBRPD, HARD  
Hayward Area Shoreline Citizens Action Committee (HASCAC)

**FROM:** Damon Golubics  
Technical Advisory Committee Chair to HASPA

**SUBJECT:** **Brown Act Training**

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For your information, the Hayward Area Recreation & Park District is holding a Brown Act Training and you are welcome to attend. The training is free of charge. Everyone associated with the HASPA effort is highly encouraged to attend.

**Training Subject:** Brown Act

**Date:** Monday, June 1, 2015  
**Time:** 6:00 pm – 7:00 pm  
**Location:** Hayward Area Recreation and Park District Office (Large Conference Room)  
1099 E Street  
Hayward, CA 94541  
[www.haywardrec.org](http://www.haywardrec.org)

**Cost:** *Free!*

**R.S.V.P.** Damon Golubics  
(510) 583-4210 or [damon.golubics@hayward-ca.gov](mailto:damon.golubics@hayward-ca.gov)

About the Brown Act:

The Ralph M. Brown Act (known as “the Brown Act”) governs meetings conducted by local legislative bodies, such as boards of supervisors, city councils, school boards, etc. The Act represents the State Legislature’s determination of how the balance should be struck between public access to meetings of multi-member public bodies on the one hand and the need for confidential candor, debate, and

information gathering on the other. The Legislature has established a presumption in favor of public access under the Act. As courts have stated, the purpose of the Brown Act is to facilitate public participation in local government decisions and to curb misuse of the democratic process by secret legislation by public bodies. To these ends, the Brown Act imposes an “open meeting” requirement on local legislative bodies.

Where matters are not subject to a closed meeting exception, the Act has been interpreted to mean that all of the deliberative processes by legislative bodies, including discussion, debate and the acquisition of information, be open and available for public scrutiny. The Act only applies to multi-member bodies such as councils, boards, commissions and committees since, unlike individual decision makers, such bodies are created for the purpose of reaching collaborative decisions through public discussion and debate.

Provisions of the Brown Act require that the times and dates of all meetings must be noticed and an agenda must be prepared in advance of meetings providing a brief general description of all matters to be discussed or considered at the meeting. As a precondition to attending the meeting, members of the public may not be asked to provide their names. While in attendance, members of the public may make video or audio recordings of the meeting. As a general rule, information given to a majority of the members of the legislative body in connection with an open meeting must be equally available to members of the public. Before or during consideration of each agenda item, the public must be given an opportunity to comment on the item.

These important aspects of the Brown Act apply to HASPA meetings, including Citizen Advisory Committee meetings. I believe that it’s been sometime since this type of training has been offered. This free training would help all those involved with HASPA comply with California’s open meeting law.