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LANCE M. LARSON
Director of Legislative Affairs

April 14, 2009

The Honorable Mark Leno
California State Senate
State Capitol
Sacramento, CA 95814

RE: **SB 711 (Leno)** - As Introduced 2/27/2009 – **OPPOSE**

Dear Senator Leno:

The San Bernardino County Board of Supervisors has reviewed SB 711. Regretfully, the County of San Bernardino cannot support the bill because it would cause significant changes to the ability of local agencies to hold closed sessions in labor negotiations.

As you are aware, the only closed session information the Brown Act requires a local agencies' legislative body to disclose prior to the meeting, is the identification of the agencies designated representative for negotiations. The act also requires when the legislative body reconvenes into open session to report any action taken, including the approval of an agreement concluding labor negotiation with represented employees after the agreement has been finalized or ratified by the other party.

If enacted, SB 711 would require what currently transpires during the course of labor negotiations in closed session between a public agency and the agencies designated representative(s) to be open and public. The legislation requires all written correspondence associated with a proposed action and all matters to be publicly disclosed including the scope of the proposal prior to going into closed session. Additionally, SB 711 requires a local agency to publicly disclose and vote on a new collective bargaining agreement prior to entering into a closed session.

The County of San Bernardino is committed to transparency and full disclosure for the proper operation of our County government. However, the legislation as introduced is very impractical and complicates an already difficult process. SB 711 compromises local agencies' ability to conduct fair negotiations and inadvertently will lead to increase costs and time delays in negotiating contracts. The legislation would also prematurely disclose to the public, labor proposals that have not been agreed to. The current process permits both parties the opportunity to adequately represent their interest and negotiate in good faith.

For these reasons, the Board of Supervisors of San Bernardino County opposes SB 711. If you have any questions, please do not hesitate to contact Lance Larson, the County's Director of Legislative Affairs at (909) 387-4821. The Board thanks you for your attention in this matter.

Sincerely,

GARY C. OVITT
Chairman, Board of Supervisors

The mission of the government of the County of San Bernardino is to satisfy its customers by providing service that promotes the health, safety, well being, and quality of life of its residents according to the County Charter, general laws, and the will of the people it serves.