

May 12, 2021

The Honorable Lorena Gonzalez
California State Capitol, Room 2114
Sacramento, CA 95814

**RE: AB 339 (Lee) – As Amended 5/4
SUPPORT**

Dear Assemblymember Gonzalez:

The undersigned twenty-nine organizations write in strong support of the public's right to participate in the local governmental decision-making process through expanded opportunities to join public meetings and make public comment via telephonic or internet-based service options. This measure has no state costs and likely no or very minimal costs to local governments.

In addition to advocating for and successfully advancing state and local policies, our organizations work with communities that face impediments to participation in the governmental decision-making process. Geographic and physical barriers – especially for rural and working-class communities who may not be able to take the time to travel to meetings typically held during the daytime, and for folks with mobility issues for whom travel is difficult – prevent many Californians from engaging in local government. These communities deserve a seat at the decision-making table and a voice in policy decisions that affect them, and it is the responsibility of the government to facilitate their participation. Our democracy functions best when everyone is able to participate in the public process. Accordingly, we believe the bill should rightly include all local governments.

Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency be open and public and that all persons be permitted to attend and participate. Under existing law, a member of the legislative body who attends a meeting where action is taken in violation of this provision, with the intent to deprive the public of information that the member knows the public is entitled to, is guilty of a crime. The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with any statutory enactment that amends or enacts laws relating to public records or open meetings.

AB 339 would enhance public participation and expand access by ensuring that constituents in jurisdictions of at least 250,000 people have opportunities to join and comment at open and public city council and county board of supervisor meetings, in-person and remotely, between January 1, 2022 to December 31, 2023. Despite claims that local governments might incur substantial costs to comply with the bill, and contentions that they are too fiscally strapped to do so, most if not all agencies covered by the measure have already voluntarily met the standards set out in the bill, even before they received the large influx of federal stimulus funds authorized this year. Thus, there will be no or virtually no local costs. **There would not be significant local costs even if the bill included all local governments. Likewise, the bill imposes no state costs because it is not a reimbursable mandate.**

During the COVID-19 pandemic, remote meetings have provided a unique opportunity for Californians across the state to better participate in local government meetings. The past year has shown us how technology can help expand access and engagement with local government, and AB 339 builds on the gains of the past year to provide this access to more Californians now and once meetings return to in-person.

Remote options that ensure the equitable access to public meetings are necessary to ensure a government that is accountable to all of its constituents, not just a select few. Our democracy functions best when everyone is able to participate equally, and AB 339 makes important progress towards this goal. For these reasons, our organizations support AB 339. We look forward to working with you to advance this legislation and expand access to open meetings for all Californians.

Sincerely,

Youth Justice Education Clinic, Loyola Law School
CEJA Action
CA Common Cause
People's Budget OC
Faith in the Valley
Central California Asthma Collaborative
California News Publishers Association
Indivisible CA State Strong
Fresno Metro Black Chamber of Commerce
Californians for Pesticide Reform
Central Valley Air Quality Coalition
California League of Conservation Voters
Climate Action Campaign
Fresno Building Healthy Communities
Together We Will/Indivisible – Los Gatos
Cultiva La Salud
California Work & Family Coalition
First Amendment Coalition
Hmong Innovating Politics
Public Advocates
Indivisible San Jose
Hammond Climate Solutions
Orange County Equality Coalition
Change Begins with ME
Indivisible San Francisco
Pueblo Unido CDC
UC Merced Community and Labor Center
Leadership Counsel for Justice and Accountability (co-sponsor)
ACLU California Action (co-sponsor)