

Saturday, July 10, 2010

OPINION

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Keep posting agendas

I couldn't agree more with your position, that suspending the posting of local agency agendas and the results of closed sessions is a bad idea!

The posting of this information is tantamount to a social contract with the good people of California, and it is sad that a law had to be enacted for our elected officials to engage in such simple steps of transparency.

It's outrageous that Gov. Schwarzenegger would even contemplate suspending any part of the Brown Act. The monetary cost is dwarfed by the intrinsic value of such governmental transparency.

But if lack of money is the only reason that Schwarzenegger is citing for suggesting that we suspend these two Brown Act requirements, then

YOUR VIEW

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may I suggest that our erstwhile elected officials, all of whom appear to have discretionary funds at their disposal, consider using some of these funds to cover the costs associated with the posting of agendas and outcomes of closed sessions.

After all, isn't this at least as important as the recent request to refurbish a county supervisor's office?

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OUR VIEW

Open-meeting law needs protecting

THE California Newspaper Publishers Association is right in calling for a measure to ensure permanently that local governments will comply with the agenda-posting requirement of the Brown Act, the state's open-meeting laws.

The Brown Act requires local governmental bodies to post a descriptive meeting agenda at least 72 hours prior to a regular meeting, and to stick to that agenda.

It's a very important open-government law because it helps prevent city councils, school boards and other governing bodies from doing something dramatic without letting people know what's going to take place.

But the agenda-posting requirement has been under attack lately for financial reasons. The state government has to reimburse local bodies about \$20 million a year for the agenda postings on the basis that the state is mandating the postings and therefore must pay for it. So, in order to save \$20 million, Gov. Arnold Schwarzenegger, a Senate budget subcommittee and the Legislative Analyst's Office have all endorsed a proposal to make the posting of agendas optional for local agencies. The same proposal would make it optional for the agencies to report their actions taken in closed sessions.

That would be a huge step backward in government transparency for Californians.

The agenda-posting requirement has been around since 1986, except when it was suspended by Gov. Pete Wilson and the Legislature to deal with a \$14.5 billion state deficit in 1991.

It was reinstated after a public outcry, but since then suspension has been proposed several times. The thing is, the state should not even

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have to reimburse local bodies for their agenda-posting costs. It's by no means an expensive thing to do, and it benefits the public in each local jurisdiction. Given the number of true unfunded mandates that the Legislature imposes on local governments, to the tune of tens or hundreds of millions of dollars in actual costs, this one's nothing.

In fact, after voters passed Proposition 59, the Sunshine Amendment, in 2004, the Commission on State Mandates found that Sacramento did not have to reimburse the locals for agenda posting. Unfortunately, a court ruling in 2007 reinstated the reimbursement requirement.

And so, the Legislature is again considering reducing government transparency to save a few million bucks, which would be very counterproductive in the long run.

CNPA has asked Senate President Pro Tem Darrell Steinberg to introduce an amendment that would add to the California Constitution a requirement for reasonable notice of meetings. If such an amendment were approved by the voters, it would remove the reimbursement requirement from state government and do away with the temptation for the Legislature to suspend or end the practice of letting the people know what their elected leaders have in store at the next meeting.

Government transparency shouldn't fall victim to the budget knife.