

Lopez, Maria [COB]

Subject:

RE: Civic Openness in Negotiations - Board 5/20/14, Item 64 - Response to Questions

(EA Briefing)

From: Novak, Susan

Sent: Friday, May 16, 2014 1:24 PM

To: Lopez, Maria [COB]; Stieler, Robin

Subject: Fwd: Civic Openness in Negotiations - Item 64 - Response to Questions

To be added to agenda item

Susan Novak,

Orange Co Clerk of the Board

Susan.Novak@ocgov.com

Sent from my iPhone

Begin forwarded message:

From: "Mansdoerfer, David" <David.Mansdoerfer@ocgov.com>

Date: May 16, 2014 at 11:55:29 AM PDT

To: "Do, Andrew" <Andrew.Do3@ocgov.com>, "Wilson, Robert" <Bob.Wilson@ocgov.com>, "Bilodeau, Denis" <Denis.Bilodeau@ocgov.com>, "Ochoa, Martha" <Martha.Ochoa@ocgov.com>, "Hughes, Don" <Don.Hughes@ocgov.com>

Cc: "Cadenas, Frances" <Frances.Cadenas@ocgov.com>, "Delp, Christy" <Christy.Delp@ocgov.com>, "Nguyen, Diane" <Diane.Nguyen@ocgov.com>, "Anderson, Christopher" <Christopher.Anderson@ocgov.com>, "Bruner, Miles" <Miles.Bruner@ocgov.com>, "Moreno, Diana" <Diana.Moreno@ocgov.com>, "Serslev, Nathaniel" <Nathaniel.Serslev@ocgov.com>, "Newcomb, Pamela" <Pamela.Newcomb@ocgov.com>, "Moran, Kathleen" <Kathleen.Moran@ocgov.com>, "Brennan, Lindsay [BOS]" <Lindsay.Brennan@ocgov.com>, "Danciu, Camelia [Cammy]" <Cammy.Danciu@ocgov.com>, "Carpenter, Isabel" <Isabel.Carpenter@ocgov.com>, "Nguyen, Chris" <Chris.Nguyen@ocgov.com>, "O'Malley, Carrie" <Carrie.OMalley@ocgov.com>, "Gardner, Martin" <Martin.Gardner@ocgov.com>, "Richters, Christine" <Christine.Richters@ocgov.com>, "Lopez, Mark" <Mark.Lopez@ocgov.com>, "Carpenter, Scott" <Scott.Carpenter@ocgov.com>, "Fishel (Adams), Audra" <Audra.Fishel@ocgov.com>, "Spernak, Steve" <Steve.Spernak@ocgov.com>, "Wieckert, Natalie" <Natalie.Wieckert@ocgov.com>, "Prince, Sergio" <Sergio.Prince@ocgov.com>, "Osterberg, Emily" <Emily.Osterberg@ocgov.com>, "Weigand, Erik" <Erik.Weigand@ocgov.com>, "Yniguez, Veronica" <Veronica.Yniguez@ocgov.com>, "Dinwiddie, James" <James.Dinwiddie@ocgov.com>, "Novak, Susan" <Susan.Novak@ocgov.com>, "Denny, Mark" <Mark.Denny@ocgov.com>, "Howe, Mark" <Mark.Howe@coco.ocgov.com>, "Danley, Steve [HOA]" <Steve.Danley@ocgov.com>, "Atkinson, Cymantha" <Cymantha.Atkinson@ocgov.com>, "O'Hare, Jessica" <Jessica.O'Hare@ocgov.com>, "Pasco, Jean" <Jean.Pasco@ocgov.com>, "Aguirre, Michelle" <Michelle.Aguirre@ocgov.com>, "Kim, Frank (HOA)" <Frank.Kim@ocgov.com>

Subject: Civic Openness in Negotiations - Item 64 - Response to Questions

In follow-up to yesterday's EA Briefing, here are responses to some of the questions.

1. How long will it take to report out of closed session?
 - a. In consulting with Steve Danley – In order to make sure that the proposals are made clear, a conservative estimate would be up to a week after a formal proposal is made, it could be reported out. However, it is believed that once a process is

implemented, where we have a clear and concise form, this process would be significantly shorter.

2. Does this make the negotiation process longer?
 - a. The simple answer is yes. It is estimated to add a couple of weeks on the front end of negotiations, and perhaps lengthening the time between each proposal or counter-proposal. However, as all offers and counter-offers would be disclosed to the public, entities that are a part of the negotiations would be likely to submit more realistic proposals; which could decrease the time spent on negotiations. It is our office's belief that the overall process will result in a final agreed upon proposal that can be voted on by the applicable union membership in a significantly shorter time period than one produced under the current process.
3. Have Costa Mesa's negotiations taken longer?
 - a. Yes, but I have not been provided with exact details. Transparency improves the accountability of the process; which, in itself, will improve the process.
4. What is the penalty associated with non-compliance?
 - a. There is no penalty. This measure is designed to make information on negotiations public that public entities in California have previously been not required to disclose. It is possible that someone with standing could seek enforcement through the courts, but it is impossible to say with certainty how any Court would respond since no court has ever looked at this issue.
5. Articles on COIN
 - a. http://articles.dailypilot.com/2014-05-01/news/tn-dpt-me-0502-coin-county-20140501_1_independent-negotiator-coin-ordinance
 - b. http://www.hbindependent.com/news/county/tn-dpt-me-0502-coin-county-20140501_0,3150296.story
 - c. <http://www.oregister.com/articles/council-370337-city-contract.html>
 - d. <http://www.oregister.com/articles/city-523061-council-coin.html>
 - e. <http://www.oregister.com/articles/city-523060-coin-employees.html>
 - f. http://articles.dailypilot.com/2013-08-06/news/tn-dpt-me-0807-costa-mesa-labor-negotiations-20130806_1_civic-openness-mesa-city-employees-assn-contract-negotiations-head
 - g. http://www.voiceofoc.org/oc_coast/article_eb5eb026-ee2b-11e1-bfc6-0019bb2963f4.html
 - h. <http://www.championnewspapers.com/articles/2013/12/16/opinion/doc52ab7bc54938b854154064.txt>
 - i. http://azstarnet.com/news/opinion/column/guest/police-chief-councilman-clash-over-benefits-and-more-steve-kozachik/article_26e190a9-b27a-52ff-aaf5-c7e1c5f48c06.html
 - j. <http://www.oregister.com/articles/council-369207-ordinance-city.html>
 - k. <http://www.fountainvalleymagazine.com/news/865-city-council-to-discuss-ordinance-to-create-more-openness-in-labor-negotiations>
 - l. http://articles.dailypilot.com/2013-11-16/opinion/tn-dpt-me-1117-commentary2-20131116_1_civic-openness-contract-negotiations-cmcea
 - m. http://articles.dailypilot.com/2014-02-13/news/tn-dpt-me-0214-charter-committee-coin-20140213_1_costa-mesa-charter-committee-coin-ordinance-proposed-city-constitution
 - n. <http://fullertontaxpayers.org/2014/05/pass-coin-or-prepare-to-pay-more-coins-as-in-taxes/>

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