



City of Long Beach
Working Together to Serve

Office of Gerrie Schipske, R.N.P., J.D.
Councilwoman, Fifth District
Memorandum

Date: February 4, 2014
To: Honorable Mayor and City Council
From: Councilmember Gerrie Schipske, Fifth District
Councilmember Gary DeLong, Third District

Subject: AGENDA ITEM: Report from the City Attorney Regarding the Civic Openness in Negotiations Ordinance Enacted by the City of Costa Mesa and Discussed at the Civil Service and Personnel Committee

Discussion: The Civil Service and Personnel Committee Chaired by Councilwoman Gerrie Schipske has discussed potential measures that would afford the people of Long Beach with more information concerning the collective bargaining process.

The Government Code requires school districts to “sunshine” among other things, proposed bargaining items being offered and asked as well as the tentative agreements before ratification by the legislative body.

Until recently, cities have not adopted requirements to open up the collective bargaining process for public input. Recently, the City of Costa Mesa enacted the “Civic Openness in Negotiations” ordinance that provides:

- The city must hire an independent negotiator (in Costa Mesa, prior councils had an executive level public employee handle the negotiations).
- Before contract talks with an employee association begin, an independent economic analysis must be done on the fiscal impacts of each contract term and the results of that analysis must be made public 30 days prior to negotiations.
- Each council member must disclose if he or she had any communications about the negotiations with representatives of the employee association.
- As negotiations begin, the City Council must report publicly after closed sessions any prior offers and counter offers and their fiscal impact to the taxpayer.
- Any meet-and-confer-related bargaining positions received or made by either side that are no longer being considered must be disclosed.
- Before the City Council can vote on an employee contract, it must be discussed at least two City Council meetings and the proposal posted on the city’s website at least seven days prior to the first meeting.

Apparently the Costa Mesa ordinance had the support of the city employees. Richard Kreisler, whom Long Beach has retained on past collective bargaining issues and serves as Costa Mesa’s chief negotiator, has prepared an overview of this ordinance which is linked:

<http://www.costamesaca.gov/index.aspx?page=1570>.

Recommendation: Request City Attorney to provide a review of the City of Costa Mesa “Civic Openness in Negotiations” ordinance and the feasibility of a similar ordinance being adopted by the Long Beach City Council.

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Page 2

Fiscal Impact: To be determined by the City Manager.