



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

SDLF Platinum-Level of Governance



PLATINUM LEVEL

President – Carolyn Graham • Vice President – Bryon Gutow • Director – Kevin Graves • Director – Ashley Porter • Director – Lesley Belcher

The Honorable Lori Wilson
California State Assembly, District 11
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0011

RE: Letter of Opposition to Senate Bill 707 (Amended) On Behalf of the Town of Discovery Bay

Dear Assemblymember Wilson,

I am writing on behalf of the Town of Discovery Bay to express strong opposition to the amended Senate Bill (SB) 707. While we support efforts to improve public access and transparency, the current version of SB 707 would impose significant and impractical burdens on special districts—especially those serving populations over 200,000—without providing the necessary resources or flexibility.

Key Concerns for the Town of Discovery Bay and Special Districts include:

- **Mandated Inefficiency and Operational Challenges:**
SB 707 contains numerous provisions that would mandate inefficiency, increase agency exposure to litigation, and impose confusing, impractical mandates on special districts. These include, but are not limited to, requirements for language translation of agendas, expanded outreach to underrepresented groups, and stricter agenda posting requirements.
- **Unclear and Overbroad Definitions:**
The recent addition of special districts in the definition of "eligible legislative bodies" was clearly originally drafted to apply to other local agencies and is unworkable in its application to special districts. This dramatic expansion has the potential to unintentionally apply the bill's provisions to hundreds of additional agencies, creating confusion for many more. The lack of clarity in the definition means that neither agencies nor the public will confidently know which entities are included, leading to confusion, uncertainty, and increased liability.
 - Further, the threshold for inclusion—"serving 200,000 people"—is particularly concerning. Special districts do not have access to the requisite population data, unlike cities and counties, which are included in the American Community Survey data referenced in the bill.
- **Mandated Inefficiency in Practice:**
SB 707 requires, among other things, reports on actions affecting the compensation of unrepresented employees, repeated public comment when legislative bodies have already discussed an agenda item, and the use of systems that could fail and leave the legislative body unable to transact the people's business.

Notably, these requirements do not uniformly apply to the State of California itself, creating a stark contrast between state and local agencies. For example, the State does not require repeated public comment when an agenda item has already been discussed at a previous meeting.

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- **Increased Litigation Risk:**
The bill increases exposure to litigation by requiring references to specific statutory provisions relied upon for remote participation in meeting minutes and by extending the timeframe for individuals to bring actions alleging noncompliance with the Brown Act.
- **Overly Prescriptive and Impractical Requirements:**
SB 707 imposes prescriptive design requirements for agency websites and expanded physical agenda posting requirements, as well as numerous other minutiae. The measure goes so far as to require agencies to print out a copy of the law itself and hand it to board members. Such mandates are not the most effective or efficient way to empower local leaders and instead restrict their ability to serve their communities flexibly and responsibly.
- **Unfunded Mandates:**
SB 707 introduces new obligations—such as language translation of agendas, expanded outreach to underrepresented groups, and stricter agenda posting requirements—without providing funding or technical assistance. For special districts like ours, which operate with limited budgets and staff, these mandates could divert resources away from essential community services.
- **Operational and Logistical Challenges:**
The bill's requirements for real-time language translation, expanded outreach initiatives, and additional agenda posting create significant logistical hurdles. Many special districts do not have the infrastructure or personnel to comply with these mandates, particularly in rural or geographically dispersed areas.
- **One-Size-Fits-All Approach:**
SB 707 applies uniform requirements to all special districts above a certain population threshold, regardless of local circumstances or needs. This approach undermines local control and the ability of districts to tailor public engagement in ways that best serve their unique communities.
- **Potential Impact on Service Delivery:**
The redirection of limited resources to comply with new administrative mandates threatens to compromise the delivery of vital services such as water, wastewater, parks, recreation, and landscaping, which are the core responsibilities of special districts like the Town of Discovery Bay.

For all of the aforementioned reasons, we respectfully urge lawmakers to oppose the amended version of SB 707 and its provisions as they relate to special districts. Specifically, we request that should this legislation be enacted that the following be addressed by the legislature:

- Provide adequate funding and technical support to help special districts comply with new requirements.
- Allow for local flexibility and discretion in implementing outreach and translation initiatives.
- Exempt smaller or resource-limited special districts from the most burdensome provisions.
- Engage in meaningful consultation with special districts to develop practical, scalable solutions that enhance transparency without undermining essential services.

Thank you for your attention to these concerns. The Town of Discovery Bay remains committed to transparency and public engagement but urges a more balanced approach that recognizes the realities and constraints faced by special districts.

Sincerely,



Dina Breitstein, General Manager
On behalf of the Town of Discovery Bay
dbreitstein@todb.ca.gov



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The Honorable Christopher Cabaldon
California State Senate, District 3
State Capitol
1021 O Street, Suite 7320
Sacramento, CA 95814

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