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CITY OF LOMITA

June 13, 2025

The Honorable Liz Ortega
California State Assembly
1021 O Street, Suite 5120
Sacramento, CA 95814

Re: **AB 339 (Ortega): Local Public Employee Organizations: Notice Requirements.**
(As amended 5/23/25)
OPPOSE

Dear Assembly Member Ortega,

The City of Lomita must respectfully **oppose AB 339**, would require the governing body of a local public agency to provide written notice to the employee organization no less than 120 days prior to issuing a request for proposals, request for quotes, or renewing or extending an existing contract to perform services that are within the scope of work of the job classifications represented by the recognized employee organization. AB 339 would be impractical in its execution, is unworkable for ensuring the provision of public services, and disincentivizes reaching final agreement in local labor negotiations.

AB 339 applies to **any** contract that is within the scope of work of any job classification represented by a recognized employee organization; for local agencies with represented workforces, this essentially means nearly every contract would be subject to notice and possible meet and confer. This provision is considerably broader than the existing requirement for bargaining under the Meyers-Milias Brown Act (MMBA). Under existing law, where contracting out is legally permissible, local agencies are still required to “meet and confer in good faith” with any affected bargaining unit prior to making any decision **that is within the scope of representation**. However, there are several common-sense exceptions to this requirement, including where there is a longstanding past practice of contracting for particular services, or where contracting out is contemplated in the applicable MOU. AB 339 subverts these well-settled principles to the detriment of local public services.

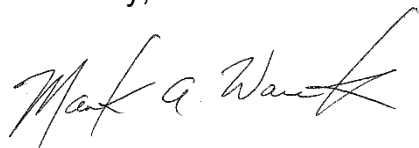
The lack of definition of emergency or exigent circumstances in AB 339 undermines existing emergency contracting authority; further, this provision only applies to the initial notice requirement, not the meet and confer provisions, making the provision nearly meaningless in an emergency circumstance. As first responders, local agencies rely on existing statutes that allow for considerable flexibility to ensure the safety and well-being of our communities. As a small contract city, Lomita must maintain the ability to act quickly to ensure uninterrupted delivery of critical services, such as public safety and infrastructure support, particularly during emergencies when any delay could compromise the well-being of our community.

AB 339 also undermines the existing provisions of the MMBA that ensure that negotiating parties can reach a final agreement on an MOU. Under the section of the measure that authorizes reopening negotiations indefinitely, there is no benefit to employers to finalize negotiations and close on an agreement and, as a result, no labor peace. In a small city like Lomita, reopening labor negotiations at any time would create significant operational challenges. With limited staffing and resources, our team must stay focused on delivering essential services and meeting critical deadlines. Allowing negotiations to be reopened indefinitely would create uncertainty, delay important projects, and strain our ability to plan and manage city operations effectively.

AB 339 deters local agencies from working in partnership with local community organizations, who are at the front lines of providing critical local services. The City of Lomita regularly partners with local non-profit organizations to support programs such as the local food pantries assisting with food distribution, public safety outreach, and emergency assistance. These collaborations help extend the City's reach and provide timely support to vulnerable populations. Subjecting these agreements to extended notice and possible labor negotiations would introduce unnecessary delays and discourage the flexible, responsive partnerships our community relies on.

AB 339 represents a sweeping change to the fundamental work of local governments and will not improve services, reduce costs, or protect employees. For these reasons, the City of Lomita respectfully **opposes AB 339**.

Sincerely,



Mark A. Waronek
Mayor
City of Lomita

Cc: The Honorable Liz Ortega, Chair, Assembly Local Government Committee
The Honorable Ben Allen
The Honorable Al Muratsuchi
Lomita City Council
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