

**Don Russell**

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ITEM NO. 11a

**From:** Dillon Gibbons <dillong@csda.net>  
**Sent:** Monday, October 14, 2019 8:44 AM  
**To:** Don Russell  
**Subject:** RE: Opposition Letter to Assembly Bill 1184 (Gloria)

Donal,

Thank you for your district's letter asking for Governor Newsom to veto AB 1184. I am happy to inform you that yesterday, on the final day to sign or veto bills, the Governor did indeed veto AB 1184. I believe it was the letters from special districts that helped convince the Governor of the negative impacts this bill would have had on our public agencies that helped secure his veto.

Thank you again,

Dillon Gibbons  
Senior Legislative Representative

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California Special Districts Association  
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**From:** Don Russell <drussell@capobay.org>  
**Sent:** Wednesday, September 18, 2019 9:59 AM  
**To:** raquel.mason@asm.ca.gov; leg.unit@gov.ca.gov; advocacy <advocacy@csda.net>  
**Cc:** 'Karen Morris' <cbd@capobay.org>; 'Mike Haack' <surfsquirt@cox.net>; Patrick McNulty <pdm760@gmail.com>; Saeed Irani <airani1234@gmail.com>; 'Stephen Muller' <smuller@themullercompany.com>; Steve Schwartz <steve@kinginsuranceca.com>  
**Subject:** Opposition Letter to Assembly Bill 1184 (Gloria)

Good Morning again, (letter included this time)  
You are being Cc'd on a letter to Governor Newsom, mailed today, expressing our opposition to, and request for veto, of Assembly Bill 1184 (Gloria).  
Regards,

*Donal S. Russell, Manager*  
*Capistrano Bay District*  
*35000 Beach Road*  
*Capistrano Beach, CA 92624*  
*[drussell@capobay.org](mailto:drussell@capobay.org)*  
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## CAPISTRANO BAY DISTRICT

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September 17, 2019

The Honorable Gavin Newsom  
Governor, State of California  
State Capitol  
Sacramento, CA 95814

**RE: Assembly Bill 1184 (Gloria) – Request for Veto**

Dear Governor Newsom:

The Capistrano Bay Community Services District respectfully requests that you veto Assembly Bill 1184 (Gloria), which will require all public agencies to maintain all transmitted emails related to agency business for at least two years. Our District provides a number of municipal services (excluding sewer/water) to a residential community of 200 homes. As a non-enterprise Special District, our ability to create new revenue is extremely limited.

To be very clear, we see this as a data storage bill with nothing to do with transparency. The public will have no greater access to public records under AB 1184. This bill creates no new disclosures or exemptions of records. This bill only mandates that public agencies retain all emails related to agency business for two years, most of which will be irrelevant, redundant, or restricted records.

While this measure appears intended to improve public access to government records, in practice, it will merely increase the burdens for both public agencies and California Public Records Act (CPRA) requesters. The vast majority of emails consist of auto-replies, spam, and insignificant routine communications of minimal public interest that, at an agency's discretion, may be exempted from disclosure under the CPRA. As the bulk of these emails increases, so too does the burden to search through them and locate responsive records in the event of a valid CPRA request.

Our concerns are corroborated in the Department of Finance's analysis of AB 1184 where the Department states "[t]he retention of non-pertinent e-mails and the need to search through those e-mails, particularly for less specific CPRA requests, increases the amount of time needed to complete CPRA requests. This makes compliance with the CPRA more difficult in these instances and produces worse outcomes for persons and entities submitting those requests."

AB 1184 will add millions of dollars in costs annually to the state and local agencies. Public agencies like ours will be forced to pay for additional data storage space as well as hire additional staff to sort through the millions of emails that are exempt from disclosure under the Bill. With no ability to be reimbursed for this costly unfunded mandate, we will be forced to either raise fees or taxes, or cut services to the communities we serve.

It is for these reasons, the Capistrano Bay District respectfully requests your veto of Assembly Bill 1184 (Gloria).

Sincerely,



Donal S. Russell, General Manager  
Capistrano Bay Community Services District

CC: Assembly Member Todd Gloria  
Joey Freeman, Chief Deputy Legislative Secretary, Office of Governor Newsom  
Dillon Gibbons, Senior Legislative Representative, California Special Districts Association  
Capistrano Bay District Board of Directors