



June 24, 2024

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

**RE: Assembly Bill 2557 – Local agencies: contracts for special services and temporary help: performance reports – Notice of Opposition (As Amended June 17, 2024)**

Dear Assemblymember Ortega,

On behalf of the City of Carlsbad, I write to express our respectful opposition to Assembly Bill (AB) 2557. This bill would require a city council that solicits for and enters into a contract for special services to post that contract and any related documents on its website. The bill would also require each contract to include the objectives, desirables, and goals of the contract, among other provisions.

We rely heavily on contractors to provide a variety of local programs and services that, given our current public sector workforce shortages, would be difficult to provide without their capable assistance. The burdens contained in AB 2557 continue to undermine a collaborative and productive working relationship with private sector and non-profit partners, who local agencies regard as essential to meeting our statutory obligations and effectively serving our communities.

The provisions of AB 2557 will be costly to implement and at a time when the state and local agencies are facing significant fiscal challenges, we are skeptical that the extensive reporting, posting, and contracting requirements of the bill are worth the investment of scarce public resources. AB 2557 will likely mean that fewer non-profit providers, community-based organizations, and other private service providers will be willing to engage with us as a local agency. As a result, AB 2557 would result in increased caseloads and workloads for our existing staff, along with the increase in cost that these would entail.

The new requirements mentioned above are burdensome, duplicative, and impractical. While recent amendments appear to remove the obligation for reporting by contractors directly, AB 2557 takes most of those same requirements and requires local agencies to put them in the contractual agreement. This means that contractors will continue to have to provide considerable information that may not be directly applicable to the work that they are contracted to do or may be duplicative of other mandated reporting requirements associated with their work. New amendments also remove a prior exemption for contracts between governmental entities, making the bill's new website posting, noticing, and contractual requirements applicable to those common contracts.

While website posting already occurs for most contracts per statutory requirements to post meeting materials under the Ralph M. Brown Act, AB 2557 would now require that contracts and any related documents be posted separately on a local agency's website. This is likely an expensive endeavor that would require considerable investment in infrastructure and staff for local agencies.

**City of Carlsbad City Council**

**City Hall 1200 Carlsbad Village Drive | Carlsbad, CA 92008 | 442-339-2820 t**

It is important to note that local agencies are already subject to the statutory provisions of the Meyers-Milias-Brown Act (MMBA), the Educational Employment Relations Act, and related provisions of state law. These laws establish that local agencies cannot contract out work currently being performed by bargaining unit employees simply to save money and most contracting-out decisions are already subject to meet-and-confer requirements. There are exceptions to the meet-and-confer requirement in cases of compelling necessity (like an emergency) or when there is an established past practice of contracting out particular work. Our position is that any of the requirement of this bill, if desirable to local agency employees and their representatives, is better addressed at the bargaining table where local conditions can be appropriately considered.

In addition, AB 2557 would dramatically expand a local agency's notice provisions. Under existing MMBA requirements, local agencies notify bargaining units of the intent to contract out for items within the scope of representation. This bill would expand those requirements for every contract even when it is clearly not in the scope of representation. The new requirement will increase the workload of staff and lengthen the amount of time it takes to enter a contract.

AB 2557 represents a sweeping change to the fundamental work of local governments, but we remain unaware of a specific, current problem that this measure would resolve or prevent. We are keenly aware, though, of the very real harm that could result from this measure. AB 2557 will not improve services, reduce costs, or protect employees.

For these reasons, we must respectfully oppose your measure. Should you have any questions, please contact our legislative advocate Sharon Gonsalves with Renne Public Policy Group at 916-974-9270.

Sincerely,

A handwritten signature in black ink, appearing to read 'K Blackburn', written in a cursive style.

Keith Blackburn, Mayor  
City of Carlsbad

CC: Members and Staff of the Senate Labor, Public Employment and Retirement Committee  
The Honorable Catherine Blakespear, Senate District 38  
Mary Hernandez, Chief Deputy Legislative Secretary, Office of Governor Gavin Newsom