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August 8, 2024

The Honorable Liz Ortega
1021 O Street, Room 5120
Sacramento, CA 95814

Re: **AB 2557 (Ortega): Local Agencies: Contracts for Special Services and
Temporary Help: Performance Reports (As amended 7/3/24)
OPPOSE**

Dear Assembly Member Ortega,

The City of Brentwood must respectfully **oppose AB 2557**, a bill related to contracting by local agencies. AB 2557 is overly burdensome and inflexible, which will likely result in worse outcomes for vulnerable communities and diminished local services for our residents.

Broad application has costly implications. The City of Brentwood relies in part on contractors to provide a variety of programs and services. Given our current workforce shortages, it would be difficult to provide these services without their capable assistance. Changes to IT infrastructure, AB 2557 would increase the workload of the city's Human Resources department with arduous reporting and meetings. Additionally, this would impact costs, service delivery, and customer service. Department projects would also be impacted that will ultimately impact the public and the city's infrastructure.

With the additional requirements of AB 2557 for local agencies with represented workforces and their contractors, we can expect fewer nonprofit providers, community-based organizations, and other private service providers willing to engage with local agencies. The requirements will also exacerbate already-demanding caseloads and workloads for our existing staff and increase city costs.

Making private employee data subject to the California Public Records Act deters effective partnerships with the private sector. This bill would require anyone who enters a special services contract over \$100,000 in value with a city to perform functions that are currently, or were in the prior five years, performed by city employees represented by an employee organization to post the contract and any related documents, including any required performance reports on their website. This is an expensive endeavor that would require considerable investment in IT infrastructure and staff for our city.

Additionally, AB 2557 requires contractors to provide information about employees and retain records. This private employee data would be accessible to any member of the public. Public employee data subject to the CPRA has resulted in data mining for profit, as well as subjecting employees to harassment and threats.

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Local agencies are already subject to statutory limitations on contracting. Cities are already subject to the statutory provisions of the Meyers-Milias-Brown Act and related state law provisions. Local agencies cannot contract out work currently performed by bargaining unit employees simply to save money and most contracting-out decisions are already subject to meet-and-confer requirements. All the issues the bill seeks to address are better addressed at the bargaining table where local conditions can be appropriately considered.

Unclear terminology creates confusion, and invites disputes. We remain concerned that the notification timeframes provided are impractical. While the bill includes the requirement for a “reasonable” notification to the employee representative, we are unclear as to what exactly this requirement means. Further, the emergency exemption provided in the bill appears to only apply to portions of the notice provisions. Local agencies are first responders and need flexible and accessible means for contracting with clear understanding of what is required prior to doing so.

AB 2557 represents a sweeping change to the fundamental work of local governments, but we are unaware of a specific problem that this measure would resolve or prevent. The bill will not improve services, reduce costs, or protect employees.

For these reasons, the City of Brentwood respectfully **opposes AB 2557.**

Sincerely,



Joel R. Bryant,
Mayor

Cc: The Honorable Senator Anna Caballero, Chair via Legislative Position Letter Portal
Honorable Jim Frazier, Assembly Member: assemblymember.frazier@assembly.ca.gov
Honorable Diane Burgis, CCC Supervisor: supervisor_burgis@bos.cccounty.us
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