

# BOARD OF SUPERVISORS

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June 13, 2017

The Honorable Reginald Byron Jones-Sawyer  
California State Assembly  
State Capitol, Room 2117  
Sacramento, CA 95814

### **AB 1250: CONTRACTS FOR PERSONAL SERVICES – OPPOSE**

Dear Assembly Member Jones-Sawyer:

The Kern County Board of Supervisors is adopting a position in opposition to AB 1250, which would impose excessive regulations for contract services exceeding any other procurement procedures that are currently required for counties, cities and other public agencies. The bill would restrict ordinary and necessary County operations without providing a public benefit, and instead, require procedures that are more likely to increase the cost and decrease the quality of contract services. This bill would subvert the public interest, impact cost-effective procurement of special services, and significantly impede the retention of qualified service providers.

Local governments have a long history of addressing service delivery challenges with creativity, self-reliance and innovation. Unique local challenges and limited budgets continue to fuel innovative efforts to obtain expertise and provide high quality services. County employees provide many services, while other and specialized services are provided on a contract basis. As amended, AB 1250 places substantial burdens on local agencies by adding onerous, over prescriptive and unnecessary requirements that impede local control and have significant impacts on local governance.

Specifically, AB 1250 will:

- Eliminate local agency discretion by circumventing the ability to use a contract for special services;
- Remove choices for special service from local elected officials;
- Require a local agency to provide an orientation to contracted employees. Having a local agency provide an additional orientation to non-city employees creates significant cost and logistical concerns and has no direct benefit to tax payers;
- Require counties and cities to post full names, job titles and salaries of non-city employees. The public benefit of this requirement is unclear, especially as existing transparency regulations require all counties and cities to make these contracts available to the public;
- Mandate counties and cities to conduct a full environmental impact analysis caused by contracting for the services to include a full economic analysis of the potential impacts of outsourcing (among other

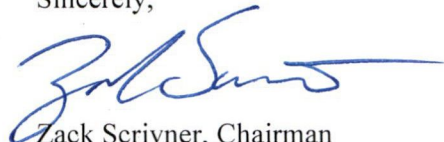
factors). The sole purpose of these additional regulations appears to be to place hurdles before a local jurisdiction to discourage the use of contracted services.

Furthermore, AB 1250 does not specify how its provisions would be enforced. If an unsuccessful applicant for a county contract could bring a lawsuit challenging the award of a contract based on a claimed violation of these statutes, local jurisdictions may find themselves mired in litigation between economic rivals. The threat of litigation could become a political tool for special interests seeking to oppose a county's action.

The workload, privacy concerns, potential litigation, and cost implications created by AB 1250 would place an overwhelming and significant burden on nearly every County department. Overall, this piece of legislation creates a de facto ban on virtually all contracting services that local jurisdictions rely upon to deliver quality services on behalf of taxpayers.

For these reasons, our Board respectfully opposes AB 1250.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Zack Scrivner', with a long horizontal flourish extending to the right.

Zack Scrivner, Chairman  
Kern County Board of Supervisors

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cc: Anthony Rendon, Speaker of the Assembly  
Kern County Legislative Delegation  
Paul Yoder, Shaw/Yoder/Antwih