



Legislation Text

File #: 17-318, **Version:** 1

Report Prepared by: Mike Conway, Assistant to the City Manager

SUBJECT: Letters of Opposition to Assembly Bill 1250, Counties and Cities: Contracts for Personal Services (Jones-Sawyer) and Trailer Bill to Proposition 64

REPORT IN BRIEF

Authorizes staff to send letters of opposition regarding Assembly Bill (AB) 1250, Counties and Cities: Contracts for Personal Services (Jones-Sawyer) eliminating contract services for cities and counties and trailer bill for Proposition 64.

RECOMMENDATION

City Council - Adopt a motion authorizing staff to send letters of opposition to AB 1250, Counties and Cities: Contracts for Personal Services (Jones-Sawyer), and Trailer Bill to Proposition 64.

ALTERNATIVES

1. Approve, as recommended by staff; or,
2. Approve, subject to other than recommended by staff (identify specific findings and/or conditions amended to be addressed in the motion); or,
3. Deny; or,
4. Refer to staff for reconsideration of specific items (specific items to be addressed in the motion); or,
5. Continue to a future meeting (date and time to be specified in the motion).

AUTHORITY

Charter of the City of Merced, Section 200.

CITY COUNCIL PRIORITIES

As provided for in the 2016-17 Adopted Budget

DISCUSSION

The City's concerns range from fundamental local control discretion to increased and unnecessary reporting requirements, along with the fiscal objections. Although Charter Cities are not currently affected by AB 1250, the bill was just amended to include Charter Counties so staff is concerned that Charter Cities will soon be included.

AB 1250 mandates a city conduct a full environmental impact analysis when contracting for the services. Further, the measure forces a city to conduct an annual audit of each contract and prohibits a city from renewing or granting a new contract before the report is released and considered by the

council. The bill also would require a city to create a new, fully searchable database that must be posted on the city website which includes, the names, job titles, salary of each contracted employee (and subcontractors), services of the contract, contract amounts, and the total number of “full time equivalent” employees being contracted out.

The budget trailer bill for Proposition 64 would make changes to the intent of Proposition 64 and the Medical Cannabis Regulation and Safety Act, which the City used to write its medical marijuana dispensary ordinances. The changes could have major impacts on the ordinance, and also the health and safety of residents.

Among the changes in the bill the City has issues with:

- Fire Safety Standards - Repealing this language will set cities up for litigation when they try to enforce the Fire Code. This language should be left intact and amended to expressly authorize cities to enforce the Fire Code.
- Codify local agency right of inspection - Failure to codify this could set cities up for unnecessary litigation when they undertake routine regulatory duties.
- Clarify local government ability to apply for grants - This addresses a question many cities have asked: Can we have clearer rules on what can and cannot be banned, and still allow a city to retain eligibility for grant monies?
- Effect of revocation of local permit - not included in initial draft of Trailer Bill. Local permits, once revoked should suspend a state license pending a resolution of the defect that led to the local revocation.
- State Medical Marijuana ID Card program - Repealing this program will result in local governments losing sales tax revenue.

Staff plans to bring before Council a complete Legislative platform in the weeks ahead for its discussion and approval. Once a Legislative platform is approved, staff will be able to respond quickly to requests for letters and to legislative actions, as needed, based on the contents of the adopted platform.

IMPACT ON CITY RESOURCES

No appropriation of funds is needed.

ATTACHMENTS

1. AB 1250 Summary
2. Trailer Bill Fact Sheet