

RESOLUTION NO. 4596-14

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY
RESOLUTION EXPRESSING STRONG SUPPORT FOR AB 1147
(BONILLA, GOMEZ, HOLDEN) TO RE-ESTABLISH
APPROPRIATE LOCAL CONTROL OVER MASSAGE ESTABLISHMENTS**

WHEREAS, in 2008 the State legislature passed, and Governor Schwarzenegger signed into law, SB 731 (Oropeza) which essentially eliminated local control over the regulation of massage establishments in cities and counties throughout California; and

WHEREAS, the resultant system of massage professional certifications by the massage industry-controlled California Massage Therapy Council and prohibition against any local zoning, licensing or operating regulations that specifically address the many historical issues that accompany certain types of massage establishments has resulted in the explosive growth of "massage businesses" throughout the State, many of which are little more than fronts for illegal prostitution and sex trafficking of women; and

WHEREAS, the City of Union City has experienced such growth in "massage businesses" that are not operated like legitimate "day spa" massage establishments, with suggestive names, obscured windows, locking interior massage rooms, and listings on sexually-oriented websites; and

WHEREAS, the absence of appropriate regulatory powers over such illicit "massage businesses" has forced City staff in Union City and many other cities to expend significant police, legal, and administrative resources on the investigation and abatement of these illegal businesses, instead of being able to regulate them and prevent their establishment in the first place; and

WHEREAS, in one typical recent example, the City was forced to expend an estimated \$15,000 in police, legal, and administrative staff resources to abate a single illegal massage business where prostitution was, in fact, taking place, leaving an estimated 6-8 additional questionable "massage businesses" that will require investigation and potential abatement; and

WHEREAS, this expenditure of scarce City staff resources is not in the public interest and would not be necessary if SB 731 is allowed to "sunset" (expire) on January 1, 2015; and

WHEREAS, AB 1147 has been passed by the State Assembly on a unanimous 64-0 vote, and is currently assigned to the State Senate Committee on Business, Professions and Economic Development for a hearing and possible vote on June 23, 2014; and

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WHEREAS, our State Senator, the Honorable Ellen Corbett, sits on the State Senate Business, Professions, and Economic Development Committee; and

WHEREAS, AB 1147 will re-establish appropriate local control over massage establishments, retain State licensing control over massage professionals, and enable cities like Union City to eliminate illicit "massage businesses" that engage in prostitution and sex trafficking.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Union City does hereby express its strong support for the passage of AB 1147 by the State Senate and urges State Senator Ellen Corbett to vote in favor of AB 1147 at the upcoming Senate Business, Professions, and Economic Development Committee vote on June 23, 2014, (and for any subsequent floor votes) in order to re-establish appropriate local control over massage establishments, retain State licensing control over massage professionals, and enable cities like Union City to eliminate illicit "massage businesses" that engage in prostitution and sex trafficking.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Union City on the 10th day of June 2014 by the following vote:

AYES:	Councilmembers Duncan, Gacoscos, and Navarro, Vice Mayor Ellis, Mayor Dutra-Vernaci
NOES:	None
ABSENT:	None
ABSTAIN:	None

APPROVED:

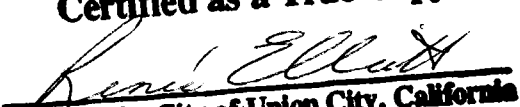

 CAROL DUTRA-VERNACI
 Mayor

ATTEST:

APPROVED AS TO FORM:


 RENEE ELLIOTT
 City Clerk


 BENJAMIN M. REYES II
 City Attorney

Certified as a True Copy

 Clerk of the City of Union City, California
 By _____
 Deputy City Clerk