

## How a Bill Becomes a Law (California Assembly Bill 155 - 2014)

Date	Event	Notes
May 14, 2014	<p>California governments are encouraged to respond to a serious drought by initiating planned construction projects meant to improve water storage. The Monterey County Water Resources Agency and agricultural interests are inspired to resurrect a 1991 proposal for an Interlake Pipeline Project between the Nacimiento and San Antonio reservoirs and seek federal and state grants to fund it.</p> <p><a href="#">Relevant Material for May 14 Workshop and Meeting</a></p>	
May 23, 2014	<p>A staff report about initial steps for the Interlake Pipeline Project is released in advance of a June 3 joint meeting of the Monterey County Board of Supervisors and Monterey County Water Resources Agency Board of Directors. It does not mention a requirement for construction companies to sign a Project Labor Agreement with unions as a condition of work.</p> <p><a href="#">Background for June 3 Meeting</a></p>	
May 27, 2014	<p>A meeting involving top staff of Monterey County and the Monterey County Water Resources Agency Board is held “relating to proposed Interlake Tunnel Project legislation.” In addition, records indicate scheduling for a second “important” meeting on this date involving Lew Bauman and David Chardavoynne at the Tanimura &amp; Antle corporate office. (It is suspected by some that this meeting - held outside of a government office - may have included Bob Antle and/or union official Ron Chesshire.)</p> <p><a href="#">Setting Meetings for May 27</a></p>	<p>Lew Bauman is the Chief Administrative Officer for Monterey County. David Chardavoynne is the General Manager for the Monterey County Water Resources Agency. Bob Antle was a member of the Monterey County Water Resources Agency Board of Directors and a prominent and respected local agribusiness executive and philanthropist. (He died on August 3.)</p>
May 28, 2014	<p>Ron Chesshire emails Lew Bauman asking which government entity - Monterey County or Monterey County Water Resources Agency - has responsibility for Interlake Pipeline Project. He indicates he’ll bring “a document” to a scheduled May 29 meeting. The email is also sent to “our attorney” Sharon Seidenstein.</p> <p><a href="#">Ron Chesshire May 28, 2014 Email</a></p>	<p>Ron Chesshire is the CEO of the Monterey/Santa Cruz Counties Building and Construction Trades Council. Sharon Seidenstein has handled government-mandated Project Labor Agreements as an attorney at the union-oriented law firm of Weinberg, Roger and Rosenfeld.</p>

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May 28, 2014	<p>Lew Bauman emails Ron Chesshire stating that the Interlake Pipeline Project is a project for Monterey County Water Resources Agency: “a separate agency for the County.” He provides an excerpt from draft legislation authorizing design-build contracting for the project. (This excerpt is a provision mandating the design-build entity to enter into a Project Labor Agreement that will bind all of the contractors performing work on the project.) Bauman also reports that the Monterey County Board of Supervisors will vote on June 3 to start environmental review and preliminary design for the project.</p> <p><a href="#">Lew Bauman May 28, 2014 Email</a></p>	<p>California law authorizes some state agencies and local governments to bid certain projects through a “design-build” procurement procedure rather than a traditional “design-bid-build” procedure. The government selects the winning bidder using somewhat subjective criteria and does not need to award the contract to the lowest responsible bidder.</p>
May 29, 2014	<p>Ron Chesshire emails Lew Bauman with new proposed language for the Project Labor Agreement mandate in the design-build authorization bill. He also emails it to Assemblyman Luis Alejo, Cesar Diaz, and David Armanasco.</p> <p><a href="#">Ron Chesshire May 29, 2014 Email</a></p>	<p>Assemblymember Luis Alejo, a Democrat from Watsonville, represents the Salinas Valley. Cesar Diaz is a lobbyist at the state capitol in Sacramento for the State Building and Construction Trades Council of California. David Armanasco is a public relations executive who prepared the Monterey County Water Resource Agency’s \$20 million federal grant application for the Interlake Tunnel Project.</p>
May 29, 2014	<p>David Armanasco forwards Ron Chesshire’s email proposing new language for a Project Labor Agreement mandate to Bob Antle, who forwards it to Bob Drake and Steve Wang at EPC Consultants, Inc. for review. Antle also forwards the language to Jack Baylis, Lew Bauman, and David Armanasco. Drake approves the language.</p> <p><a href="#">Internal Review May 29, 2014 for Chesshire Language</a></p>	<p>EPC Consultants was hired internally by David Chardavoyne as program manager for the Interlake Pipeline Project. Some members of the Monterey County Board of Supervisors (as well as Ron Chesshire) criticized the timing and process of selecting this consultant. Jack Baylis is a construction consultant.</p>

Date	Event	Notes
<p>June 1, 2014</p>	<p>Ron Chesshire emails Lew Bauman complaining that the Board of Supervisors would not be voting on June 3 for “worker protection provisions,” i.e. a Project Labor Agreement. “I am waiting to hear from the State Building Trades Council whether the proposed attached language [for state design-build authorization] is legal/acceptable at the State level.”</p> <p><a href="#">Ron Chesshire June 1, 2014 Email</a></p> <p>Assemblyman Luis Alejo emails Lew Bauman, Ron Chesshire, Cesar Diaz, David Armanasco, Tony Skinner, and Sharon Seidenstein: “Let’s work this our [sic] soon and have an agreement with our local Building Trades so we can have this project move expeditiously and with strongest level of support.”</p> <p><a href="#">Assemblyman Luis Alejo June 1, 2014 Email</a></p> <p>Lew Bauman responds to Assemblyman Luis Alejo: “We have forwarded legislation to your office reviewed by Building Trade counsel. We are grateful to you for your assistance with expediting this critical water supply project.”</p> <p><a href="#">Lew Bauman June 1, 2014 Email</a></p>	<p>Tony Skinner is the President of the International Brotherhood of Electrical Workers (IBEW) Local Union No. 952 in Ventura.</p>

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June 2, 2014	<p>Ron Chesshire emails Lew Bauman: “we believed we were submitting language for the County to approve. We are not sure what was proposed will fly at the State. The State Building Trades is working on something and will submit within the next day or so. What we are looking for is a commitment by the County...”</p> <p><a href="#">Ron Chesshire June 2, 2014 First Email</a></p> <p>Cesar Diaz emails Ron Chesshire, Lew Bauman, Assemblyman Luis Alejo; David Armanasco, Tony Skinner, and Sharon Seidenstein: “Attached are our requested amendments/ changes to the draft language in order to address our request for a Project Labor Agreement. The language provides that if the design-build authority is utilized a Project Labor Agreement would be required. The Project Labor Agreement is to be negotiated locally with the corresponding Building Trades Council(s). Its [sic] straightforward, but please contact me if you have any questions or feedback.”</p> <p><a href="#">Cesar Diaz June 2, 2014 Email</a></p> <p>Ron Chesshire emails Cesar Diaz, Lew Bauman, Assemblyman Luis Alejo; David Armanasco, Tony Skinner, and Sharon Seidenstein about a 2:00 phone call between him and Lew Bauman: “I reminded him that we are never assured of what the political winds in Sacramento will bring, there can be change. Therefore, it is up to the County to make an equal commitment as provided by the proposed language to the State. The Bd of Supes will meet tomorrow and may take action to move forward. If this is the case, at a meeting in the next week or two the Supes will need to consider approving an action to accept the conditions outlined in the proposed bill regarding the conditions of construction. When this is done there will be sufficient assurance of the County's commitment.”</p> <p><a href="#">Ron Chesshire June 2, 2014 Second Email</a></p>	
June 3, 2014	<p>An item related to the Interlake Pipeline Project is added late as an addendum to the agenda for a joint meeting of the Monterey County Board of Supervisors and the Monterey County Water Resources Agency board of directors. After discussion, the boards vote unanimously to authorize environmental review and design of the Interlake Tunnel Project and develop a funding agreement for this work. According to the meeting minutes, Ron Chesshire says during public comment that his organization supports the project and “will work diligently to ensure legislation moves forward for the success of the Project. The Project includes two collective bargaining areas who may also be involved in its construction.”</p> <p><a href="#">Relevant Material for June 3, 2014 Joint Board Meeting</a></p>	<p>Public Meeting - Monterey County Board of Supervisors and Monterey County Water Resources Agency Board of Directors</p>

Date	Event	Notes
June 9, 2014	<p>Assemblymember Luis Alejo guts the contents of his Assembly Bill 155 and inserts new language authorizing the Monterey County Water Resources Agency to use design-build contracting for the Interlake Pipeline Project, provided that the design-build entity signs a Project Labor Agreement binding all contractors on the project.</p> <p>AB 155 is designated as an “urgency” bill to take effect immediately, which requires two-thirds approval of both the Assembly and the Senate. In the Senate, two Republican votes are needed to achieve two-thirds because of scandals neutralizing the votes of three Democrat senators. Democrats control two-thirds of the Assembly with two votes to spare.</p> <p><a href="#">Assembly Bill 155 - Legislative History</a></p>	
June 16, 2014	<p>Ron Chesshire send this email to Assemblyman Luis Alejo, Bob Fredenburg, Tyler Blackney, Nicole Charles, Gina Moretti, Jamie Mori, Lew Bauman, David Armanasco, Cesar Diaz, Cesar Lara, and the offices of the five members of the Monterey County Board of Supervisors:</p> <p>“Assemblyman Alejo, I have reviewed the current language of AB 155. As long as there are no significant changes I believe the State has done it’s [sic] part in assuring a safe, expeditious, project which will be free of undue disruption by writing in a Project Labor Agreement provision. My concern is that the County has not entered into any talks with us to date. To wait until a Bill is passed does not guarantee a fair negotiation it only ensures that workers are at a disadvantage if a Bill is passed. The County needs to step up to the Project Labor Agreement? I presented a standard "Draft" Project Labor Agreement to Mr Bauman. We would like to enter into immediate talks with the County because we believe they must also ensure the same protections the State is currently considering. If they accept I will inform you of any progress. If the County cannot or will not act we will remove our support for the Bill.”</p> <p>Lew Bauman responds in an email that this is a proposed Water Resources Project, and not a County Project. David Chardavoyne, General Manager of the Monterey County Water Resources Agency, is the “appropriate point of contact for development of a Project Labor Agreement.”</p> <p><a href="#">Ron Chesshire Email &amp; Lew Bauman Reply June 16, 2014</a></p>	<p>Tyler Blackney is an aide to Assemblyman Luis Alejo. Bob Fredenburg is the chief consultant for the Assembly Environmental Safety and Toxic Materials Committee. Nicole Charles is an aide to Senator Bill Monning. Gina Moretti is an aide to Assemblyman Mark Stone. Jamie Mori is an aide to Senator Anthony Cannella.</p> <p>Cesar Lara is the Executive Director of the Monterey Bay Central Labor Council.</p>

Date	Event	Notes
June 17, 2014	<p>Tyler Blackney sends an email to Ron Chesshire, Assemblyman Luis Alejo, Bob Fredenburg, Nicole Charles, Gina Moretti, Jamie Mori, Lew Bauman, David Armanasco, Cesar Diaz, Cesar Lara, Lew Bauman, Norm Groot, and the offices of the five members of the Monterey County Board of Supervisors: "I am scrambling to get the committee all of the need materials (factsheet, background sheet, author's statement, letters of support, etc.), which are due by end of day today. If your organization is in support of the measure and would like to be listed as such on the committee analysis, please send me a brief letter of support TODAY. Sorry for the quick turnaround but, due to urgent nature of the bill, we do not have much time."</p> <p>In another email, Blackney asks John Arriaga, "If you can also contact the labor folks and ask them to do the same (both local and state level) that would be very helpful." It is copied to Bob Fredenburg and Laurie Johnson.</p> <p><a href="#">Staff Emails Plea for Material on Assembly Bill 155</a></p>	<p>Norm Groot is the Executive Director of the Monterey County Farm Bureau.</p> <p>Laurie Johnson is a lobbyist with JEA &amp; Associates.</p>

Date	Event	Notes
<p>June 18, 2014</p>	<p>Opponents of the Project Labor Agreement mandate in AB 155 use the meeting of the Salinas River Basin Management Planning Committee of the Monterey County Water Resources Agency to launch their public attack on the bill. According to meeting minutes, “Kevin Dayton, President and CEO of Labor Issues Solutions in Roseville, voiced his opposition to certain components of AB 155, specifically referencing the design/build method of procurement. Mr. Dayton stated the Project Labor Agreement mandate and the restrictions imposed by it are at issue. He noted this is historical in the State of California as the first time this mandate has ever been included in a bill. He recommended removing this requirement from the bill to allow open bidding on the project or, alternatively, utilizing the standard authorization that has been utilized in other bills.”</p> <p>Nancy Isakson of the Salinas Valley Water Coalition then stated that the Project Labor Agreement mandate in AB 155 was another illustration of lack of process. Ms. Isakson stated the Bill changes the Agency's governing act and was not brought to the Board and/or public for proper vetting before moving forward.</p> <p>Norm Groot of the Monterey County Farm Bureau said “politics is changing this” and the agency was “taking what Sacramento dishes out.” According to the meeting minutes, Groot declared “the agricultural community was angered this process was taking place without having been presented to the full Board first to ensure we were moving in the right direction. The community came together for the Salinas River Stream Maintenance Project. At that time the community emphasized they did not want Sacramento to dictate the direction. Mr. Groot stated this issue is similar and should have been brought to the community and BOD in a transparent manner.”</p> <p>During a lengthy committee discussion of AB 155, staff revealed (as reported in meeting minutes) that “The language regarding the labor agreement was added in the process. The Building Trades Council added this to garner their support for the Bill” and “Our elected officials would not carry the bill without this being added.” Board member Bob Antle said that the union mandate was necessary in order to fast-track the bill and the project. He said the agency would lose seven to twelve months and would not be “shovel-ready” for grants: “Without union support, we can’t do it. It’s too late to push back; it really is.” He also reported that the head of the Monterey/Santa Cruz Building and Construction Trades Council said unions would oppose the bill unless a Project Labor Agreement was in it.</p> <p><a href="#">Relevant Material for June 18, 2014 Committee Meeting</a></p>	<p>Public Meeting - Salinas River Basin Management Planning Committee</p> <p>Nancy Isakson is President of the Salinas Valley Water Coalition.</p> <p>Kevin Dayton is President &amp; CEO of Labor Issues Solutions, LLC and the Dayton Public Policy Institute. He prepared this chart and reported on the AB 155 controversy in these four articles:</p> <p><a href="#">“Monterey County Water Resources Agency: Target of First State-Mandated Project Labor Agreement”</a> -</p> <p><a href="#">“Will a Few Republican State Legislators Open Floodgates for Costly Union Control of California Water Projects?”</a></p> <p><a href="#">“Monterey County Water Officials Abandon Bill After Unions Reshape It”</a></p> <p><a href="#">“Legislature Tries to Mix Union Mandates and Our Water Agency”</a> page 11</p>

Date	Event	Notes
June 18, 2014	<p>Monterey County Board of Supervisors letter in support of AB 155 goes to Sacramento lobbyist John Arriaga for distribution at the state capitol. It comes with a report of trouble from county staff: "BMP Committee met this a.m. and has major concerns with the bill and the Agency Board may not be willing to sign a support letter."</p> <p><a href="#">Warning of Trouble on Assembly Bill 155 - June 18, 2014</a></p>	<p>John E. Arriaga of JEA &amp; Associates is a contract lobbyist at the state capitol in Sacramento for Monterey County.</p>
June 18, 2014	<p>Ron Chesshire emails Lew Bauman, David Chardavoyne, Cesar Diaz, and David Armanasco: "At a WRA committee meeting today opposition to our Bill AB 155 was aired by Don Chapin and Kevin Dayton. As previously conveyed, there are some who are in opposition to Project Labor Agreement's. [sic] I will be very direct, WE will not accept ANY detrimental change made by them to the Bill or a Project Labor Agreement. They do not negotiate for us and we will not accept any compromise they provide. We have had to deal with them in the past and am familiar with their tactics and proposals. They do not speak for Labor and their so called compromises are nothing more than attempts to "gut" a Project Labor Agreement. I am waiting to hear from Mr Chardavoyne and it seems that Mr Antle may not have had the opportunity to convert Mr Chapin?"</p> <p><a href="#">Ron Chesshire June 18, 2014 Email on Opposition</a></p>	<p>Don Chapin, Jr. is President of The Don Chapin Company (a construction company based in Salinas) and a member of the Salinas River Basin Management Planning Committee.</p>
June 20, 2014	<p>On behalf of the Salinas Valley Water Coalition (SVWC), President Nancy Isakson sends a letter to Assemblyman Luis Alejo noting the organization was not asked to provide input into the development of AB 155: "The SVWC's primary purpose is to participate in the various governmental processes...Community participation is an essential element in any project, and critical to obtaining support for that project. Unfortunately the SVWC was not included in the development of a key element to building an inter-lake tunnel project that would benefit the Salinas Valley and the ratepayers of Zone 2C, and that is the drafting of AB 155."</p> <p><a href="#">Salinas Valley Water Coalition Letter on AB 155</a></p>	<p>But the Monterey/Santa Cruz Building and Construction Trades Council and State Building and Construction Trades Council were included, from the beginning.</p>
June 25, 2014	<p>California State Senate Governance and Finance Committee votes 6-1 to pass AB 155, with one Republican voting YES and the other voting NO. On this day it appears that at least two and perhaps three Republicans in the Senate will vote for AB 155, allowing it to pass as an urgency bill.</p> <p><a href="#">Assembly Bill 155 - Legislative History</a></p>	<p>Public Meeting - California State Legislature</p>

Date	Event	Notes
June 30, 2014	<p>According to minutes of the Monterey County Water Resources Agency Board of Directors meeting, “Nicole Goehring...questioned whether Directors were aware of the Project Labor Agreement included in AB 155 and behind-the-scenes meetings related to the legislation. Nancy Isakson, Salinas Valley Water Coalition, stated there was nothing on the day's agenda regarding AB 155. Ms. Isakson noted the legislation passed the Senate Finance Committee and went straight to the Senate floor for consideration as an Urgency Bill at the beginning of August. Ms. Isakson indicated the public should have had an opportunity to openly discuss this legislation and requested updates be provided regarding the status of the Bill.” Agency staff reported to the Board that the agency “is being pushed to enter into a Project Labor Agreement...At this point it is unclear if the Agency can decline in utilization of the legislation...the Bill is not in its original form and staff does not support the changes.”</p> <p><a href="#">Relevant Material for June 30, 2014 Board Meeting</a></p>	<p>Nicole Goehring is the Government Affairs Director for the Northern California Chapter of Associated Builders and Contractors. She wrote an op-ed for the <i>Salinas Californian</i> newspaper:  <a href="#">“Something Fishy About County Water Agency, AB 155 &amp; PLA”</a></p>
June 30, 2014	<p>Assemblyman Luis Alejo emails Lew Bauman, Ron Chesshire, John Arriaga, Cesar Diaz, Cesar Lara, Bob Fredenburg, and Tyler Blackney: “I haven’t heard of any progress on a meeting being set up with the Building Trades re the PLA...I am hoping this important matter can get resolved in July before the bill proceeds on the Senate floor in early August. Time is of the essence.”</p> <p>Alejo also indicates that he will remove the urgency clause from AB 155 so that it can pass with a simple majority vote.</p> <p><a href="#">Assemblyman Luis Alejo June 30, 2014 Email - PLA Talks</a></p>	
July 9, 2014	<p>The Salinas River Basin Management Committee of the Monterey County Water Resources Agency votes 4-1 to recommend to the Monterey County Water Resources Agency Board of Directors that it withdraw its support for Assembly Bill 155 because of the Project Labor Agreement mandate. Union officials and business representatives speak during public comment. This is the first public vote on AB 155 and the Project Labor Agreement mandate.</p> <p><a href="#">Relevant Material for July 9, 2014 Committee Meeting</a></p>	<p>Public Meeting - Salinas River Basin Management Planning Committee</p>
July 23, 2014	<p>Ron Chesshire emails a 91-page package to the Monterey County Water Resources Agency Board of Directors rebutting organizations that criticize Project Labor Agreements.</p> <p><a href="#">91 Pages to Save Project Labor Agreement Mandate</a></p>	
July 28, 2014	<p>After a staff presentation and extensive discussion, the Monterey County Water Resources Agency board of directors votes 5-3 to direct agency staff to send a letter to the Monterey County Board of Supervisors asking them to withdraw support for the bill.</p> <p><a href="#">Relevant Material for July 28, 2014 Board Meeting</a></p>	<p>Public Meeting - Monterey County Water Resources Agency Board of Directors</p>

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August 12, 2014	<p>As it becomes evident that Republican support for AB 155 has withered away because of aggressive lobbying by construction associations, Assemblymember Luis Alijo amends the bill to eliminate the urgency status that requires two-thirds approval in the Assembly and Senate.</p> <p><a href="#">Assembly Bill 155 - Legislative History</a></p>	
August 18, 2014	<p>California State Senate approves AB 155 with only one Republican vote in support. The Republican who voted for the bill in the Governance and Finance Committee votes NO on the floor.</p> <p>A legislative analysis indicates that AB 155 is supported by the International Brotherhood of Electrical Workers, Local Union No. 234 and the California State Building and Construction Trades Council, AFL-CIO.</p> <p><a href="#">Assembly Bill 155 - Legislative History</a></p>	Public Meeting - California State Legislature
August 28, 2014	<p>California State Assembly approves AB 155 on a party-line vote. No Republican votes for the bill; no Democrat votes against it. The bill goes to Governor Brown.</p> <p><a href="#">Assembly Bill 155 - Legislative History</a></p>	Public Meeting - California State Legislature
September 5, 2014	<p>An article in the <i>Salinas Californian</i> newspaper reports on public records that reveal union backroom threats and deals to get a state-mandated Project Labor Agreement in AB 155.</p> <p><a href="#">“Interlake Tunnel Sparks Labor Controversy”</a></p>	
September 13, 2014	<p>An article in the <i>Salinas Californian</i> newspaper reiterates arguments of union officials for a Project Labor Agreement on the Interlake Pipeline Project. Ron Chesshire is quoted as saying the state should require construction companies to sign Project Labor Agreements “for all public projects as required under state public contract law.” Cesar Lara is quoted as saying “Any public project should have a Project Labor Agreement.” The bold agenda beyond AB 155 is revealed.</p> <p><a href="#">“Labor Agreements Key to Monterey County Interlake Tunnel, Unions Say”</a></p>	
September 30, 2014	<p>Governor Brown signs AB 155.</p>	