AGENDA
BOARD OF SUPERVISORS
SONOMA COUNTY
575 ADMINISTRATION DRIVE, ROOM 102A
SANTA ROSA, CA 95403

TUESDAY JANUARY 14, 2014 8:30 A.M.
(The regular afternoon session commences at 2:00 p.m.)

Susan Gorin  First District  Veronica A. Ferguson  County Administrator
David Rabbitt  Second District  Bruce Goldstein  County Counsel
Shirlee Zane  Third District
Mike McGuire  Fourth District
Efren Carrillo  Fifth District

This is a simultaneous meeting of the Board of Supervisors of Sonoma County, the Board of Directors of the Sonoma County Water Agency, the Board of Commissioners of the Community Development Commission, the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District, the Board of Directors of the Northern Sonoma County Air Pollution Control District, the Sonoma County Public Finance Authority, and as the governing board of all special districts having business on the agenda to be heard this date. Each of the foregoing entities is a separate and distinct legal entity.

The Board welcomes you to attend its meetings which are regularly scheduled each Tuesday at 8:30 a.m. Your interest is encouraged and appreciated.

AGENDAS AND MATERIALS: Agendas and most supporting materials are available on the Board’s website at http://www.sonoma-county.org/board/. Due to legal, copyright, privacy or policy considerations, not all materials are posted online. Materials that are not posted are available for public inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday, at 575 Administration Drive, Room 100A, Santa Rosa, CA.

SUPPLEMENTAL MATERIALS: Materials related to an item on this agenda submitted to the Board after distribution of the agenda packet are available for public inspection in the Board of Supervisors office at 575 Administration Drive, Room 100A, Santa Rosa, CA, during normal business hours.

DISABLED ACCOMMODATION: If you have a disability which requires an accommodation, an alternative format, or requires another person to assist you while attending this meeting, please contact the Clerk of the Board at (707) 565-2241, as soon as possible to ensure arrangements for accommodation.

Public Transit Access to the County Administration Center:
Sonoma County Transit: Rt. 20, 30, 44, 48, 60, 62
Santa Rosa CityBus: Rt. 14
Golden Gate Transit: Rt. 80
For transit information call (707) 576-RIDE or 1-800-345-RIDE or visit or http://www.sctransit.com/

APPROVAL OF THE CONSENT CALENDAR
The Consent Calendar includes routine financial and administrative actions that are usually approved by a single majority vote. There will be no discussion on these items prior to voting on the motion unless Board Members or the public request specific items be discussed and/or removed from the Consent Calendar.

PUBLIC COMMENT
Any member of the audience desiring to address the Board on a matter on the agenda: Please walk to the podium and after receiving recognition from the Chair, please state your name and make your comments. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the subject under discussion. Each person is usually granted 3 minutes to speak; time limitations are at the discretion of the Chair.
IV. **REGULAR CALENDAR**

(Items 29 through 32)

**HUMAN SERVICES**


**REGIONAL PARKS / PERMIT AND RESOURCE MANAGEMENT**

**AND**

**AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT**

(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

30. Accept report on progress creating a Moorland Avenue neighborhood park and adopt a Resolution authorizing application for Housing Related Parks Grant toward acquisition and development of a park in the Moorland neighborhood. (Third and Fifth Districts)

**BOARD OF SUPERVISORS**

31. **10:00 A.M.** – Accept the report of the Project Labor Agreement (PLA) Ad Hoc Committee and adopt a Policy and Template Agreement for the use of PLA on future significant County construction projects.

**BOARD OF SUPERVISORS**

**AND**

**SONOMA COUNTY WATER AGENCY**

(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

32. Establish assignments for members of the Board of Supervisors and the Board of Directors of the Sonoma County Water Agency for the year 2014.
To: Board of Supervisors

Board Agenda Date: January 14, 2014

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:
Supervisor David Rabbitt (707) 565-3754
Supervisor Efren Carrillo (707) 565-3760

Supervisory District(s):
Countywide

Title: Policy for Project Labor Agreements

Recommended Actions:
Accept the report of the Project Labor Agreement (PLA) Ad Hoc Committee and adopt a Policy and Template Agreement for the use of PLA on future significant County construction projects.

Executive Summary:
At the April 9, 2013 Board of Supervisors meeting, the Chair formed a Project Labor Agreement (PLA) Ad Hoc Committee for the purpose of bringing recommendations forward regarding the use of PLAs on significant County construction projects. The objectives for the committee were to increase local job creation, support training and internship opportunities in the building trades, avoid costly labor disruptions or work stoppages, ensure adequate health, welfare and retirement benefits for workers, and ensure that the use of a PLA does not increase County project costs.

As laid out in the Board adopted Scope of Work, the PLA Ad Hoc Committee has held several internal staff meetings as well as multiple meetings with both the Sonoma, Mendocino, Lake Counties Building & Construction Trades Council, and the Coalition Against Sonoma County Project Labor Agreements representing the North Coast Builders Exchange, Associated Builders & Contractors (ABC), Coalition for Fair Employment & Construction (CFEC), the Western Electrical Contractors Association, and other local and state merit shop construction trade associations. Through these meetings the committee has researched actions taken in other jurisdictions, and gathered input and recommendations from stakeholders and staff to inform the attached policy on the use of PLA for future County construction projects. This policy and the attached template PLA agreement were crafted to maintain maximum benefit, control and flexibility for the County.

Background

Project Labor Agreements, sometimes also titled Project Stabilization Agreements (PSA), are collective
bargaining agreements negotiated for construction projects typically between the County as project owner and the local building trade unions. A PLA is a form of a pre-hire agreement that sets the terms of employment on an entire construction project, and becomes part of the bid specifications that all winning contractors must follow. A PLA remains effective for the duration of the project. Typically, if a PLA or similar project stabilization agreement is pursued, there is only one agreement per project and all trades involved are signatories to the agreement. PLAs have been used since at least the 1930s, and are used in both public and private sector construction projects, most often on large-scale projects employing multiple trades. For public projects, whether or not a particular project operates under a PLA, all applicable state and federal competitive bidding and contracting requirements must be met.

Recommended Policy

The attached “Policy Regarding the Use of Project Labor Agreements to Promote Use of Local Contractors and Local Workforce on Construction Projects” would encourage the use and development of a local workforce and ensure that County projects progress without delays due to labor disputes by directing that County negotiate a PLA for significant new construction projects under the following conditions:

- The construction cost is budgeted at over $25 million for federally funded projects or over $10 million for state or locally funded projects.
- All key terms are agreed to as set forth in the attached PLA Template, including but not limited to:
  - Use of Core Workers
  - No double payment of benefits where contractors provide existing equivalent benefit plans
  - Requirement for pre-apprentice and career technical workforce training programs, beyond requirements of California Labor Code
- All trades and unions are signatory to the PLA; there will be only one agreement per project.
- Use of the PLA provides the lowest bid, or provides enhanced value within 2% of lowest bid, using a bid alternate approach.

The Ad Hoc Committee is also recommending for Board approval a draft PLA Template Agreement (Attachment 2) to be used as the basis for developing future project-specific PLA’s. When construction projects are identified that meet the dollar threshold above, staff will use the PLA Template to develop a PLA for the project, including addressing project specific covered work, security considerations, and workforce training and development programs. The Board will approve each future project specific PLA prior to staff soliciting project bids. Upon Board approval, the PLA becomes part of the bid documents, and all bidding contractors agree to be bound by the PLA. Possible future County projects that may be subject to a PLA under the proposed policy are listed in Attachment 3. In all instances, the County must meet all competitive bidding and contracting requirements applicable to public works projects, including any specific requirements or limitations on the use of PLA’s which may be imposed by a funding agency (in the case of state or federally funded projects).

Attached to this report are letters from both the Building and Construction Trades Council (Attachment 6) and from the Coalition Against Sonoma County Project Labor Agreements (Attachment 5) expressing...
each group’s responses to the PLA Ad Hoc Committee’s recommendations, and a matrix summarizing those responses (Attachment 4).

Prior Board Actions:
6/25/13 Board accepted Project Labor Agreement Ad Hoc Committee Charter/Scope of Work.
9/18/12 Board considered Policy for the Use and Promotion of Local Contractors and Local Workforce on Construction Projects.

Strategic Plan Alignment
Goal 2: Economic and Environmental Stewardship

Fiscal Summary - FY 13-14

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<th>Expenditures</th>
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Narrative Explanation of Fiscal Impacts (If Required):
There is no fiscal impact to the recommended action. The cost of County Counsel and CAO staff time in support of the PLA Ad Hoc Committee’s work since April 2013 has been approximately $26,000 and is within existing appropriations.

Staffing Impacts

<table>
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<th>Position Title (Payroll Classification)</th>
<th>Monthly Salary Range (A-I Step)</th>
<th>Additions (Number)</th>
<th>Deletions (Number)</th>
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</table>

Narrative Explanation of Staffing Impacts (If Required):

Attachments:
1. Policy Regarding the Use of Project Labor Agreements to Promote Use of Local Contractors and Local Workforce on Construction Projects
2. PLA Template Agreement, Attachment “A” to Policy.

Revision No. 20130802-1
<table>
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<th>3. Past and Future Significant County Construction Projects</th>
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<tr>
<td>4. Policy/Template Response Matrix</td>
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<tr>
<td>5. Letter from The Coalition Against Sonoma County Project Labor Agreements, dated Dec. 18, 2013.</td>
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**Related Items “On File” with the Clerk of the Board:**