



**MINUTES OF THE
COMMUNITY WORKFORCE AGREEMENTS / PROJECT LABOR AGREEMENTS
(CWA/PLA) TASK FORCE**

SAN JOSE, CALIFORNIA

MONDAY, JULY 31, 2017

The Community Workforce Agreement/Project Labor Agreements (CWA/PLA) Task Force convened in Regular Session at 3:03 p.m. in the City Manager's Conference Room 1734, Towers, City Hall.

PRESENT: Assistant City Manager and Task Force Chair David Sykes, Councilmember Chappie Jones, Santa Clara & San Benito Counties Building and Trades Representative Josué Garcia, The Silicon Valley Organization Victor Gomez, South Bay Labor Council Representative Sal Ventura and Associated General Contractors of California Representative Mark Reynosa.

ABSENT: None.

STAFF: Deputy City Attorney Arlene Silva, Director of Public Works Barry Ng, City Clerk staff, Mykel Jeffrey and City Manager's Executive Assistant Kathy Tsukamoto.

(A) Call to Order and Roll Call

Chair David Sykes called the meeting to order at 3:03 p.m. and provided introductory remarks.

(B) Consent Calendar

B.1. Approval of Minutes: June 26, 2017.

Action: The Minutes of June 26, 2017 were unanimously approved with a change to Page 2 and clarification from Mark Reynosa.

Documents Filed: (1) Community Workforce Agreements/Project Labor Agreements (CWA/PLA) Task Force Minutes of June 26, 2017.

(C) Review Information and Data requested at June 26, 2017 Meeting.

C.1. Update on West Valley/Mission College Pilot PLA Report.

Josúe Garcia introduced Bob Bush, Campus Dynamics, Inc., who verbally presented a report on the findings of the project at West Valley College. Mr. Bush was engaged by West Valley Mission Community College District following negotiations of the pilot PLA in order to provide an analytical basis for evaluating whether the PLA had efficacy for the District. The report will be presented to the West Valley College Board on August 1, 2017 at 7:00 p.m. Task Force members would be welcome to attend the Board meeting.

Mr. Bush was available to answer questions from the Task Force. Committee discussion and questions ensued.

Chair David Sykes opened the floor for public testimony on the item.

Nicole Goehring, Associated Builders and Contractors of Northern California, spoke against PLAs providing West Valley Mission College PLA updates.

Action: No action taken.

D. Review Tasks and Objectives

D.1 Review of CWA/PLA “Issues for Consideration” Document.

Chair David Sykes introduced the item. Renne Sloan Holtzman Sakai Public Law Group provided an overview on the list of Issues for Consideration document and was available to answer Task Force questions.

Barry Ng, Director of Public Works, provided an overview on the Supplemental Memorandum addressed to the Task Force dated July 28, 2017, and responded to Task Force questions.

Chair David Sykes opened the floor for public comment prior to discussing Item D.2.

Dan Christopher, Helix Electric (non-union contractors) spoke against citywide PLAs.

Phillip Blanke, Helix Electric, spoke against PLAs.

Andrew Dew, Helix Electric, spoke against PLAs.

Nicole Goehring, Associated Builders and Contractors of Northern California, spoke against PLAs and offered information for setting high thresholds, compliance, monitoring and fairness for all.

Kevin Dayton, Coalition for Fair Employment in Construction, opposing PLAs, recommending the Task Force continue.

Joseph Otayde, from a State Certified Small Business, and Disabled Veteran Business Enterprise speaking in support of PLAs/CWAs provided presentation to the Task Force.

Al Gonzalez, UA Local 393, spoke in support and on the purpose of PLAs.

Louise Auerhahn, Working Partnerships USA, presented research examining certified payrolls on city public works projects for the past five years.

Jon Ball, spoke against PLAs and spoke about cost impact on PLAs.

Miguel Galarza, small business owner, spoke about thresholds and inclusivity on PLAs.

Task Force discussion ensued on next steps, the CWA/PLA threshold amount and the recommendations to City Council.

Motion presented by Josúe Garcia and seconded by Sal Ventura to recommend to City Council a CWA/PLA for \$2 million.

Alternative Motion presented by Mark Reynosa, seconded by Victor Gomez to recommend to City Council further considerations, suggestions and recommendations on the CWA/PLA process.

Action: Upon motion by Mark Reynosa, seconded by Victor Gomez and carried unanimously, the Task Force approved to recommend to City Council all the Stakeholder considerations and further suggestions and recommendations on the CWA process and present a full and detailed plan to the City Council on the CWA/PLA.

Action: Upon motion by Councilmember Jones and seconded by Victor Gomez and carried unanimously, create an Ad-Hoc Committee with Task Force members, Mark Reynosa, Josúe Garcia and appropriate staff to draft report and consider report to recommend to City Council at the August 28, 2017 Task Force meeting.

Documents Filed: (1) Community Workforce Agreements/Project Labor Agreements Issues for Consideration, dated July 6, 2017 by Renne Sloan Holtzman Sakai Public Law Group. (2) Supplemental Memorandum from Barry Ng, Director of Public Works, to the CWA/PLA Task Force dated July 28, 2017, entitled Issues for Consideration.

D.2 Discuss format/content of Task Force Report to Council.

Item deferred to August 28, 2017.

E. Public Comment

Public comment was heard during Item D.1.

Documents Filed: (1) Prepared remarks for PLA-CWA Task Force from Joseph Otayde. (2) Research paper from Working Partnerships USA entitled Building Opportunity dated July 2017. (3) Paper entitled Prevailing Wage For All.

F. Next Steps

1. Create an Ad-Hoc Committee and return to the Task Force Meeting on August 28, 2017 with a report to make a recommendation to City Council.

G. Next Meeting: August 28, 2017, 3:00 p.m. – 5:00 p.m.

ADJOURNMENT

Chair David Sykes adjourned the meeting at 5:04 p.m.


Assistant City Manager David Sykes
Chair

DS:kh