



**STAFF REPORT  
CITY COUNCIL REGULAR MEETING AGENDA  
MEETING DATE: DECEMBER 4, 2023**

**SUBMITTED:** November 29, 2023  
**DEPARTMENT:** City Manager  
**DEPARTMENT HEAD:** David Mirrione, City Manager

**TITLE OF ITEM: RESOLUTION NO. 2023-248, CONSIDER AND ADOPT A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ADOPTING A COMMUNITY WORKFORCE AGREEMENT TO BE EXECUTED FOR ALL FUTURE PUBLIC WORKS PROJECTS IN EXCESS OF \$250,000.00**

**BRIEF DESCRIPTION:** Consider and approve a Community Workforce Agreement to be executed for all future Public Works Projects that will cost more than \$250,000.00.

**RECOMMENDATION:** Discuss the draft Community Workforce Agreement and adopt a resolution approving it for future use.

**DEPARTMENT SUMMARY:** On November 6, 2023, the City Council introduced Ordinance 1241 amending Article II (“Purchasing”) of Chapter 3.06 (“Procedures for Supplies, Property, and Services”) of Title 3 (“Revenue and Finance”) of the Hollister Municipal Code (“Code”.) One of the amendments to the Code is a requirement that contractors who are awarded Public Works Project contracts totaling more than \$250,000.00 enter into a Community Workforce Agreement.

The City Manager and City Attorney negotiated the attached Community Workforce Agreement with the Santa Clara and San Benito Counties Building and Construction Trades Council. The key provisions of the agreement are:

Work Stoppages, Strikes, Sympathy Strikes, and Lockouts

The City of Hollister (“City”), unions, and contractors covered by the Community Workforce Agreement agree that there shall be no strikes, sympathy strikes, work stoppages, picketing, hand billing, or otherwise because of a dispute related to the project. This provision ensures that work on the City project continues uninterrupted. The section also describes the arbitration process to be used to resolve such disputes.

Pre-Job Conferences

This provision requires the Project Manager to convene and conduct a pre-job conference with the unions and contractor representatives to ensure that the terms of the Community Workforce Agreement are fulfilled throughout the life of the project.

Union Security and Referral

This provision requires all contractors to recognize the unions as the sole bargaining representatives of craft employees covered by the Community Workforce Agreement and requires contractors performing work on the project to utilize union registration facilities and referral systems to fill craft job requirements.

Wages and Benefits

This provision requires contractors to pay contributions to vacation, pension, and/or other deferred compensation plan, apprenticeship, worker protection and assistance, and health benefit funds.

Apprentices and Helmets to Hardhats

These provisions require contractors to employ apprentices from California state-approved Joint Apprenticeship Training Programs and to utilize the services of the Center for military Recruitment, Assessment, and the Veteran's Employment "Helmets to Hardhats" program.

Grievance Arbitration Procedure

This provision outlines the process to resolve disputes between the contractor and unions related to interpretation of the Community Workforce Agreement.

**FINANCIAL IMPACT:** The fiscal impact of requiring a Community Workforce Agreement for Public Works Projects more than \$250,000.00 is unknown.

**CEQA:** N/A

**ATTACHMENTS:**

1. City of Hollister CWA 11\_22\_2023

**THIS REPORT WAS REVIEWED BY THE CITY MANAGER WHO CONCURS WITH THE STAFF RECOMMENDATION**



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David Mirrione, City Manager

**RESOLUTION NO. 2023-248**

**CONSIDER AND ADOPT A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ADOPTING A COMMUNITY WORKFORCE AGREEMENT TO BE EXECUTED FOR ALL FUTURE PUBLIC WORKS PROJECTS IN EXCESS OF \$250,000.00**

**WHEREAS**, the timely and successful completion of public works projects is of the utmost importance to meet the needs of the City of Hollister (“City”); and

**WHEREAS**, the use of skilled labor on public works projects increases the safety of public works projects as well as the quality of the completed work; and

**WHEREAS**, it is recognized that the magnitude of public works projects with multiple contractors and bargaining units on the job site at the same time over an extended period of time creates the potential for work disruption without an overriding commitment to maintain continuity of work; and

**WHEREAS**, the interests of the public, the City, unions, and contractors are best served if the construction work proceeds in an orderly manner without disruption due to strikes, sympathy strikes, work stoppages, picketing, lockouts, slowdowns, or other interferences with work; and

**WHEREAS**, contractors and unions desire to mutually establish and stabilize wages, hours, and working conditions for the workers employed on public works projects and to encourage close cooperation among the contractors and unions so that a satisfactory, continuous, and harmonious relationship will exist; and

**WHEREAS**, the City, unions, and contractors place a high priority upon the development of programs for recruitment, training, and employment of local area residents and military veterans, and recognize the ability of local pre-apprenticeship and apprenticeship programs to provide meaningful and sustainable career pathways in the construction industry; and

**WHEREAS**, entering into a Community Workforce Agreement will promote the efficiency of City public works projects through the use of skilled labor resulting in quality construction outcomes, and to provide for the peaceful settlement of labor disputes and grievances without strikes or lockouts, thereby promoting the public interest in assuring the timely and economical completion of public works projects.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Hollister does hereby approve the Community Workforce Agreement attached to this resolution as Exhibit A.

**PASSED AND ADOPTED**, by the City Council of the City of Hollister at a Regular Meeting held this 4th day of December, 2023, by the following vote:

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Mia Casey, Mayor

ATTEST:

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Jennifer Woodworth, MMC, City Clerk

APPROVED AS TO FORM:

Lozano Smith Attorneys at Law

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Mary F. Lerner, City Attorney

I, JENNIFER WOODWORTH, MMC, City Clerk of the City of Hollister, do hereby certify that the attached Resolution No. 2023-248, is an original Resolution, or true and correct copy of a City Resolution, duly adopted by the Council of the City of Hollister at a regular meeting of said Council held on the 4th day of December, 2023, at which meeting a quorum was present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Hollister this City Council day of December, 2023.

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Jennifer Woodworth, MMC

City Clerk of the City of Hollister