



CITY OF PINOLE COMMUNITY SERVICES COMMISSION REGULAR MEETING AGENDA

**WEDNESDAY
April 26, 2023
5:00pm**

Please note: HYBRID MEETING FORMAT

**Attend in person - PINOLE CITY COUNCIL CHAMBERS - 2131 PEAR STREET
OR**

Attend VIA ZOOM TELECONFERENCE - Details provided below

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Please note: Updated COVID-19 safety guidance will be posted outside the City Council Chambers. Please review this information before entering the Chambers.

How to Submit Public Comments:

In Person: Attend meeting at the Pinole City Council Chambers, fill out a yellow public comment card and submit it to the Recreation Manager.

Via Zoom:

Members of the public may submit a live remote public comment via Zoom video conferencing. Download the Zoom mobile app from the Apple Appstore or Google Play. If you are using a desktop computer, you can test your connection to Zoom by clicking [here](https://us02web.zoom.us/j/82770240301). Zoom also allows you to join the meeting by phone.

From a PC, Mac, iPad, iPhone or Android:

<https://us02web.zoom.us/j/82770240301>

Webinar ID: 827-7024-0301

By phone: +1 (669) 900-6833 or +1 (253) 215-8782 or +1 (346) 248-7799

- Speakers will be asked to provide their name and city of residence, although providing this is not required for participation.
- Each speaker will be afforded up to 3 minutes to speak.
- Speakers will be muted until their opportunity to provide public comment.

When the Chair opens the comment period for the item you wish to speak on, please use the "raise hand" feature (or press *9 if connecting via telephone) which will alert staff that you have a comment to provide and press *6 to unmute. **To comment with your video enabled, please let the Recreation Manager know you would like to turn your camera on once you are called to speak.**

Written Comments: All comments received **before 3:00 pm the day of the meeting** will be posted on the City's website on the agenda page ([Agenda Page Link](#)) and provided to the Commissioners prior to the meeting. **Written comments will not be read aloud during the meeting.**

Email comments to recreation@ci.pinole.ca.us Please indicate which item on the agenda you are commenting on in the subject line of your email.

Please note: Updated COVID-19 safety protocols will be posted outside the City Council Chambers. Please review this information before entering the Council Chambers.

OTHER WAYS TO WATCH THE MEETING

LIVE ON CHANNEL 26. The Community TV Channel 26 schedule is published on the city's website at www.ci.pinole.ca.us.

VIDEO-STREAMED LIVE ON THE CITY'S WEBSITE, www.ci.pinole.ca.us. and remain archived on the site for five (5) years.

If none of these options are available to you, or you need assistance with public comment, please contact the Recreation Manager, Maria Picazo at (510) 724-9062 or mpicazo@ci.pinole.ca.us .

Americans With Disabilities Act: In compliance with the Americans With Disabilities Act of 1990, if you need special assistance to participate in a City Meeting or you need a copy of the agenda, or the agenda packet in an appropriate alternative format, please contact the City Clerk's Office at (510) 724-8928. Notification at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

Note: Staff reports are available for inspection on the City Website at www.ci.pinole.ca.us. You may also contact the City Clerk via e-mail at hbell@ci.pinole.ca.us .

Ralph M. Brown Act. Gov. Code § 54950. *In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly. The people of this State do not yield their sovereignty to the agencies, which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.*

1. CALL TO ORDER

2. ROLL CALL

3. APROVAL OF THE MINUTES –March 22, 2023 meeting

4. CITIZENS TO BE HEARD (Public Comments)

Citizens may speak under any item not listed on the Agenda. The time limit is 3 minutes and is subject to modification by the Chair. Individuals may not share or offer time to another speaker. Pursuant to provisions of the Brown Act, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The Commissioners may direct staff to investigate and/or schedule certain matters for consideration at a future meeting. PLEASE SEE THE COVERSHEET OF THE AGENDA FOR INSTRUCTIONS ON HOW TO SUBMIT PUBLIC COMMENTS

5. NEW BUSINESS

- A. Community Services Commission Update
- B. Project Labor Agreement (PLA) Subcommittee

6. OLD BUSINESS

- A. 2023 Community Service Day
- B. Sister Cities
- C. Community Outreach/Engagement

7. ADJOURN TO NEXT MEETING

Recommendation: Adjourn to the next meeting on May 24, 2023

POSTED: Thursday, April 20, 2023, at 4:00pm at City Hall

Maria Picazo
Recreation Manager



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1. CALL TO ORDER

The Community Services Commission Meeting was called to order at 5:02 P.M. and was held via hybrid meeting format (Zoom Teleconference and in person-Pinole City Council Chambers).

2. ROLL CALL

Commissioners Present: Darin Clarke, Bob Kopp, Christy Lam-Julian, Laurelle Martin, Debbie Ojeda, and Nickolas Teller

Commissioners Absent: N/A

Staff Present: Maria Picazo, Recreation Manager and [Jeremy Rogers](#), Community Services Director

3. APPROVAL OF MINUTES

Action: Motion by Commissioner Kopp to approve the minutes of February 22, 2023 meeting. Seconded by Commissioner Clarke. All in favor. Motion passed.

4. CITIZENS TO BE HEARD

Irma Ruport, resident of Pinole, informed the Commissioners that she was appointed to the Community Services Commission by the City Council the previous night. She looks forward to meeting and working with the Commissioners. She apologized for not attending the meeting and will join them at the next meeting when she is sworn in.

Commissioner Martin welcomed her to the Commission.

Rafael Menis, resident of Pinole, noted that there was a typo in the special events application. He asked staff to clarify and correct the error. Additionally, he noted that the form should be updated to include Contra Costa Fire as the City is now contracting with them to provide fire services. He asked a clarifying question regarding protests and the process for those events. Staff thanked Rafael for his comments and provided clarification.

3. OLD BUSINESS

A. 2023 Community Service Day

Staff reminded the Commissioners that the event will be held on Saturday, May 20 at the Pinole Youth Center from 8am to 12pm. Staff reviewed the schedule for the day of the event. Staff asked the Commissioners to review and provide direction on the flyers that were included in the packet. The Commissioners discussed and approved one of the flyers for the event. Staff informed the Commissioners that the flyer will be shared through the City's communication channels. The Commissioners reviewed and



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finalized the project list for the event. The Commissioners discussed the breakfast and lunch options for the event. The Commissioners asked staff to research volunteer giveaway options. The Commissioners agreed to share the flyer through their communication channels and community groups. The Commissioners will continue discussing and finalizing the logistics during the April 26, 2023 meeting.

B. Sister Cities

Director Rogers informed the Commissioners that he would like to start a subcommittee with a few members of the Commission. The subcommittee would work with the Director to draft a policy for the Sister City program. He asked the Commissioners if any of them were interested in volunteering for the subcommittee. The Commissioners asked follow up questions and Director Rogers provided clarification. Commissioner Lam-Julian and Commissioner Teller volunteered for the subcommittee.

C. Community Outreach/Engagement

Staff asked the Commissioners if they had any updates to provide on community engagement and outreach. Commissioner Kopp provided an update on the Pinole Car Show that will be held on Sunday, June 25, 2023 in downtown Pinole. Commissioner Ojeda provided an update on the Pinole Community Players annual dinner and show which will be held on Saturday, April 15, 2023. Commissioner Clarke stated that he will reach out to his assigned school and share the Community Service Day flyer. Commissioner Teller will advertise the event through local community-based organizations. Commissioner Lam-Julian informed the Commissioners that she attended various meetings, presentations, and events hosted by West Contra Costa County Unified School District. Additionally, she attended a variety of community events, presentations and meetings in Pinole, Richmond, and San Francisco. She provided updates on the topics discussed. Commissioner Martin informed the Commission that she has continued her work with the Lions Club and youth outreach with the local schools.

7. NEW BUSINESS

A. Special Events Application

Staff informed the Commissioners that about two years ago, a new process was implemented for community events organized by private organizations. The recreation manager serves as the point of contact for the organizers. The previous process was more ad hoc. The new process has created a more consistent process for all groups involved. The Community Services Department did not have a special events application to go with the new process. Staff reviewed several special events applications from other cities before the draft was created. Based on the information



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collected and the process that was implemented staff drafted a special events application. This application will be used for all community events organized by private organizations. Staff asked the Commissioners to review and provide feedback on the application. The Commissioners reviewed and discussed the application. A minor change was recommended to staff. The Commission directed staff to move forward with the application.

8. ADJOURNMENT

The meeting was adjourned at 5:41 P.M. to the next Community Services Commission meeting on Wednesday, April 26, 2023|5:00 P.M.

Submitted by:

Maria Picazo
Recreation Manager



CITY COUNCIL REPORT

5B

DATE: SEPTEMBER 20, 2022

TO: MAYOR AND COUNCIL MEMBERS

FROM: SANJAY MISHRA, PUBLIC WORKS DIRECTOR

SUBJECT: OVERVIEW OF CITY-WIDE PROJECT LABOR AGREEMENTS

RECOMMENDATION

Staff recommends that the City Council receive information on project labor agreements (PLA) and provide direction, if any, on next steps.

BACKGROUND

The City Council requested that City staff provide information on PLAs.

A PLA is defined as a pre-hire collective bargaining agreement between a construction project sponsor/owner and one or more labor organizations that establishes terms and conditions of employment for a specific construction project or projects. PLAs are also sometimes referred to as Community Workforce Agreements. PLA's typically address challenges commonly associated with complex construction projects, such as avoiding labor disruptions, while providing specific benefits by setting participation goals for local businesses.

PLAs are described in Title 29, Section 158(f) of the United States Code. Public Contract Code 2500(a) enables cities to utilize PLAs.

PLAs must have specific taxpayer protection provisions, including the following:

1. The agreement prohibits discrimination based on race, national origin, religion, sex, sexual orientation, political affiliation, or membership in a labor organization in hiring and dispatching workers for the project.
2. The agreement permits all qualified contractors and subcontractors to bid for and be awarded work on the project without regard to whether they are otherwise parties to collective bargaining agreements.
3. The agreement contains an agreed-upon protocol concerning drug testing for workers who will be employed on the project.
4. The agreement contains guarantees against work stoppages, strikes, lockouts, and similar disruptions of the project.

5. The agreement provides that a neutral arbitrator shall resolve disputes arising from the agreement.

REVIEW & ANALYSIS

The City of Pinole has entered PLAs on individual City construction projects in the past. For example, the City entered into a PLA when it performed the Water Pollution Control Plant Upgrade (See Attachment A).

Several agencies, including the County and cities such as Hayward, Martinez, Sacramento, San Francisco, San Jose, and Watsonville have utilized PLAs on individual projects. As a result of their successful experience with PLAs, they have adopted policies that require that they use PLAs on public construction projects that meet certain criteria and have established overarching PLAs with the relevant labor organizations in their jurisdictions. The overarching PLA establishes terms and conditions on projects within the city that meet specific pre-agreed upon requirements and thresholds

PLAs usually address wage irregularities and ensures a minimum level of local business participation in the public contracts. Local business participation requirements help local construction labors, trucking, suppliers etc. PLAs seems to benefit local economy, promotes local hires and offers project stability related to labor disputes. A criticism of PLAs is that they increase the cost of construction by requiring payment of union wages to non-union workers. All public contract projects are required to pay prevailing wages (per the public contract code) and comparable to the union wages.

Most of the PLA agreements reviewed by staff had similar language but differed on the project thresholds, local hiring goals, and inclusion of a disadvantaged resident program.

- **Project Thresholds**

The application of the policy in several of the PLAs reviewed was determined by a construction project's minimum bid amount (the "Threshold"). For example, after forming an Ad Hoc Committee and discussing the item with key staff members, the City of Martinez adopted a policy with a threshold of \$500,000. The City of Watsonville has determined its threshold to be on all competitively bid public works construction projects with a projected construction cost of \$600,000. The City of Hayward's Community Workforce Agreement covers all construction projects with a minimum cost of \$1,000,000.

- **Local Hiring Goals**

Several cities found that the construction jobs that are created by City-funded projects can be used to facilitate their local hire goals (i.e., hiring from a socio-economic group, within a certain geographic boundary, certain income boundary etc.). The City of

Watsonville determined that project labor agreements have proven to be a valuable vehicle for accomplishing their local hire goals, and their City-Wide PLA policy was written to include any local hire ordinance adopted by the City of Watsonville. The City-Wide PLA agreement entered into by the City of Hayward included a goal that Hayward residents perform a minimum of thirty (30%) of the hours worked on a craft-by-craft basis.

- Inclusion of a Disadvantaged Resident Program

The City of Hayward's City-Wide PLA recognized a desire to facilitate the entry of veterans who are interested in careers in the building and construction industry and agreed to utilize the services of the Center for Military Recruitment, Assessment and Veteran's Employment Center and the "Helmets to Hardhats" program to serve as a resource for employment opportunities and training to the extent permitted by law. The City of Watsonville's PLA also requires the use of the "Helmets to Hardhats" program to assist returning veterans in obtaining employment and training opportunities on public works construction projects.

Cities often take the following steps to determine what an overarching PLA should contain:

1. formation of ad-hoc council subcommittee to study the item in further detail;
2. presentations and study sessions to the City Council;
3. meetings between senior staff members of the city and local union groups where specific terms were negotiated; and
4. preparation of a draft PLA for the Council to consider at a publicly held City Council meeting.

City staff is seeking Council direction on whether to take next steps on the issue of PLAs.

FISCAL IMPACT

There is no fiscal impact in receiving and accepting this report. This is for information and discussion by Council for direction to staff.

ATTACHMENT(S)

- A. Executed PLA for Water Pollution Control Plant Upgrade
- B. Filling the Good Jobs Gap: Fresno's Opportunity for a Citywide Project Labor Agreement, Community and Labor Center at UC Merced, January 2021
- C. Hayward Community Workforce Agreement
- D. Martinez Project Labor Agreement
- E. Sacramento Project Labor Agreement