



Councilmembers,

Following up on our previous emails to you (see below) (about discriminatory and wasteful project labor agreements, here is the latest PLA failure I thought you would be interested in considering you're going to be voting on a PLA at tomorrow's meeting.

The City of Watsonville, only 90 minutes south of you, has had nothing but disastrous results re its PLA since it was implemented. So much so they are looking for ways to get out from under it. Here's the latest:

**WWTF Electrical Hazard Mitigation Project:**

**1 bidder**

**Estimate \$19,073,000**

**Bid: \$25,997,140**

**36.3% over engineers estimate**

**It was so bad they sent it out to be re-bid.**

Is placating the demands of big labor special interests who represent less than 15% of the construction industry really that important to you?

Eric Christen

Executive Director

Coalition for Fair Employment in Construction

[www.opencompca.com](http://www.opencompca.com)

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**From:**

**Sent:** Monday, June 26, 2023 4:54 PM

**To:** lisa.matichak@mountainview.gov; margaret.abe-koga@mountainview.gov;

Alison.Hicks@mountainview.gov; Ellen.Kamei@mountainview.gov;

Lucas.Ramirez@mountainview.gov; Emily.Ramos@mountainview.gov;

Pat.Showalter@mountainview.gov

**Cc:** allison@padaily.com; jenniferw@metronews.com; city.mgr@mountainview.gov;

community.development@mountainview.gov; public.works@mountainview.gov;  
kkelly@bayareanewsgroup.com; mkendall@bayareanewsgroup.com

**Subject:** The Black Contractors of America explain why they oppose union-only Project Labor Agreements (PLAs).

**Importance:** High



Mountain View City Council Members.

As a follow up to our first email last week I wanted to send this one to you from an industry friend.

87% of the construction workforce statewide that chooses to be union-free. As a result PLAs reduce competition and increase costs. PLAs do this by, for instance, explicitly excluding state approved union-free apprentice programs. This is why the only state certified black apprentice program in California (the Black Contractors Association based in CA) opposes PLAs. Their apprentices, nor apprentices from ANY union-free apprentice program, are not allowed to be used under PLAs, period.



[\*\*CLICK HERE TO HEAR WHY\*\*](#)

Do you support discrimination based on group affiliation? That's what a PLA does.

Eric Christen

Executive Director  
Coalition for Fair Employment in Construction

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# Agenda Report



**MEETING DATE:** Tuesday, February 27, 2024

**TO:** City Council

**FROM:** PUBLIC WORKS & UTILITIES DIRECTOR LINDBERG  
ASST PUBLIC WORKS & UTILITIES DIRECTOR GREEN

**THROUGH:** CITY MANAGER MENDEZ

**SUBJECT:** APPROVAL OF PLANS AND SPECIFICATIONS AND  
ADVERTISING FOR BIDS FOR THE WWTF ELECTRICAL  
SYSTEM HAZARD MITIGATION PROJECT, NO. WW-22-14797

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## RECOMMENDED ACTION:

Staff recommends that City Council approve plans and specifications and call for bids for the construction of the WWTF Electrical System Hazard Mitigation Project, No. WW-22-14797.

## BACKGROUND:

Plans and Specifications have been prepared for the WWTF Electrical System Hazard Mitigation Project, No. WW-22-14797, and the project is ready to be publicly bid.

## DISCUSSION:

The City's Local Hazard Mitigation Plan (LHMP) identified the critical components of the Wastewater Treatment Facility's (WWTF) electrical system as highly vulnerable to seismic, flood, and climate-related hazards. The project will create a resilient electrical system for this critical community infrastructure by relocating and consolidating the WWTF critical electrical facilities away from their current hazard-vulnerable locations into one new Main Electrical Facility.

The new Main Electrical Facility will increase the level of protection against flood and seismic hazards that currently impact the critical electrical equipment inside the existing Main Electrical Building, PG&E service and transformer, and the standby generator room of the existing Energy Recovery Building.

The City was recently awarded a grant through the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program in the amount of \$15,221,496.60 with an additional award through the California Governor's Office of Emergency Services (CalOES) Prepare CA Match program to cover the federal local match in the amount of \$1,691,277.40, for a total grant award of \$16,912,774, plus an additional \$750,000 for grant management costs.

The engineer's estimate for this project is \$18,735,000. Bid opening is tentatively scheduled for Thursday, April 11, 2024, and the plans and specifications are on file in the City Clerk's Office.

The project was evaluated for environmental impacts in accordance with the California Environmental Quality Act (CEQA). The project was determined to be exempt from CEQA in accordance with Categorical Exemption categories Class 1 – 15301, Class 2 – 15302, and Class 3 – 15303 because the project involves the replacement of existing electrical equipment and facilities on site and provides the same purpose and capacity of the existing WWTF electrical system. A Notice of Exemption was recorded at the Santa Cruz County Clerk of the Board on July 17, 2023.

**STRATEGIC PLAN:**

This project supports Strategic Plan Goals  
2-Infrastructure & Environment

**FINANCIAL IMPACT:**

There is no financial impact at this time. This project is included in the current approved budget for the Sewer Enterprise Fund Capital Improvement Plan, Project #14797. The appropriation necessary for the grant will be brought forward as part of a future item.

**ALTERNATIVE ACTION:**

No reasonable alternative is known at this time. Delaying the project bid may extend the completion timeframe beyond the required completion date in the grant funding agreement, possibly putting these funds at risk.

**ATTACHMENTS AND/OR REFERENCES (If any):**

1. Plans and Specifications (on file at City Clerk's Office)

RESOLUTION NO. \_\_\_\_\_ (CM)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING PLANS AND SPECIFICATIONS AND CALLING FOR BIDS FOR THE WWTF ELECTRICAL SYSTEM HAZARD MITIGATION PROJECT, NO. WW-22-14797, WHICH WILL BE FUNDED FROM THE SEWER ENTERPRISE FUND**

**WHEREAS**, the City of Watsonville’s Local Hazard Mitigation Plan identified critical components of the Wastewater Treatment Facility (WWTF) existing electrical system as highly vulnerable to seismic, flood, and climate-related hazards; and

**WHEREAS**, a project was developed to relocate and consolidate the WWTF critical electrical facilities away from their current hazard-vulnerable locations into one new Main Electrical Facility with an increased level of protection against flood and seismic hazards; and

**WHEREAS**, the City was awarded a grant from the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program and California Governor’s Office of Emergency Services (Cal OES) Prepare CA Match program grant in the total amount of \$16,912,774 toward the construction of the WWTF Electrical Hazard Mitigation Project; and

**WHEREAS**, the plans and specifications for the WWTF Electrical Hazard Mitigation Project, No. WW-22-14797 have been prepared and a call for bids for the above named project is needed.

**WHEREAS**, no action on CEQA is required on the project as a Notice of Exemption under Categories Class 1 – 15303, Class 2 – 15302, and Class 3 – 15303 was recorded at the Santa Cruz County Clerk of the Board on July 17, 2023.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:**

1. That the plans and specifications for the WWTF Electrical System Hazard Mitigation Project, No. WW-22-14797, copies of which are on file in the Office of the City Clerk, are hereby approved.

2. That the Purchasing Officer is hereby authorized and directed to call for public competitive sealed bids in accordance with Title 7, Chapter 14 of the Watsonville Municipal Code for the above named project, and that the bids are tentatively to be publicly opened in the “Old City Council Chambers”, 250 Main Street, Watsonville, California on Thursday, April 11, 2024, and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

3. That hand-carried bids should be delivered to the City of Watsonville, 250 Main Street, Watsonville, California, c/o Purchasing Officer. Bidders may mail bids at their own risk to the City of Watsonville, c/o Purchasing Officer, 250 Main Street, Watsonville, California 95076.

4. That after the bids are opened, they shall be tabulated and analyzed and a report submitted to the City Manager, who shall recommend the awarding, or other action, to the Council at its next regular meeting, or as soon thereafter as possible.

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# MINUTES REGULAR JOINT CITY COUNCIL, SUCCESSOR HOUSING AGENCY, & SUCCESSOR AGENCY MEETING

February 27, 2024

City of Watsonville  
Council Chambers  
275 Main Street,  
Top Floor

## 4:30 p.m.

**1. ROLL CALL**

Mayor Quiroz-Carter, Mayor Pro Tempore Orozco, and Council Members Clark, Dutra, Montesino, Parker, and Salcido (arrived at 4:31 p.m.) were present.

**2. CLOSED SESSION CORRESPONDENCE**

**3. CLOSED SESSION**

**(a) Public Comments**

Ron Cheshire expressed concerns with information shared with the Santa Cruz County Board of Supervisors regarding the City's Project Labor Agreement (PLA). He spoke about the benefits of apprenticeship programs.

**(b) Closed Session Announcement:**

The City Council recessed the meeting to discuss the items that follow at 4:33 p.m.:

**3.a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

(Government Code Section 54956.9(a))

Pending Litigation pursuant to subdivision (d)(1):

Name of Case: Westia et al v City of Watsonville, et al - Santa Cruz Superior Court (Case No. 23CV00800)

**3.b. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

(Government Code Section 54956.9(b))

Significant exposure to litigation pursuant to Section 54956.9(b): [1 Case]

## City Council Resumed at 6:00 p.m.

**4. ROLL CALL**

Mayor Quiroz-Carter, Mayor Pro Tempore Orozco, and Council Members Clark, Dutra, Montesino, Parker, and Salcido were present.

Staff members present were City Manager Mendez, City Attorney Zutler, City Clerk Ortiz, Assistant City Manager Vides, Public Works & Utilities Director Lindberg, Police Chief



Zamora, Fire Chief Lopez, Administrative Services Director Duran, I.T. Director Gill, Library Director Martinez, Assistant Public Works & Utilities Director Green, Parks & Community Services Recreation Superintendent Negrete, Senior Administrative Analyst Zavala, Acting Police Captain Radich, Police Sergeant Trujillo, Police Officer Lopez, Police Officer Larios, Assistant Finance Manager Rodriguez, Deputy City Clerk Pacheco, and Interpreter Landaverry.

**4.a. MOTION TO EXCUSE ABSENT COUNCIL MEMBER(S) – None**

**5. PLEDGE OF ALLEGIANCE**

**6. INFORMATION ITEMS**

**6.a. REPORT OF DISBURSEMENTS**

**7. CONSENT AGENDA**

**PUBLIC INPUT**

Ron Cheshire, IBEW Local 234 Government Affairs Director, stated they would make their best effort to help the City obtain bids for Item 7.c. and spoke about engineers' estimates not always being accurate, as well as other factors that created challenges in obtaining competitive bids.

Steve MacArthur, Plumbers & Steamfitters Local 62 Business Manager, spoke in favor of the City's PLA, stated their members would bid on any future City piping projects, and stated PLAs were not the cause of lack of bids or high costs of projects.

Alex Sandoval, Plumbers & Steamfitters Union Member, spoke about the positive impact of unions and the PLA for him and other community members.

Wayd La Pearle, Silicon Valley Contractors Association Chief Executive Officer (CEO), spoke about the importance of the PLA and utilizing local labor. He stated contractors were not experiencing issues due to the PLA.

Casey Van Den Heuvel, Monterey/Santa Cruz Building & Construction Trades Council President, spoke positively about the project listed under Item 7.c. and about utilizing apprentices and continuing to collaborate with the City.

Daniel Dodge Sr., Monterey Bay Central Labor Council President, spoke in support of building trades, listed the reasons the PLA had been adopted during his tenure as a City Council member, and about its benefits.

Manny Pinheiro, Monterey/Santa Cruz County Building & Construction Trades Council CEO, spoke in support of the PLA and about the importance of providing apprenticeship opportunities for the community's youth.

**MOTION:** It was moved by Member Montesino, seconded by Mayor Pro Tempore Orozco, to approve the Consent Agenda.

In answering Member Dutra, Recreation Superintendent Negrete spoke about the sports programs that were offered at the Veterans Memorial Building.

Member Dutra requested staff explore the possibility of creating a women's basketball league and stated community members had expressed interest.

In answering Member Dutra, Assistant Public Works & Utilities Director Green spoke about the process for preparing engineers' estimates for projects, efforts to obtain competitive bids, and the process for awarding a bid to a contractor.

Member Salcido thanked the members of the public who spoke regarding Item 7.c. and spoke about the importance of the project and collaboration.

Member Parker thanked those who spoke regarding Item 7.c. and spoke about the importance of the project for the community.

**MOTION:** The above motion carried by the following vote.

AYES:	MEMBERS:	Clark, Dutra, Montesino, Orozco, Parker, Salcido, Quiroz-Carter
NOES:	MEMBERS:	None
ABSENT:	MEMBERS:	None

**7.a. MOTION APPROVING MINUTES OF FEBRUARY 10 & 13, 2024**

**7.b. RESOLUTION NO. 25-24 (CM)  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE ADOPTING AND CONFIRMING THE CITY OF WATSONVILLE INVESTMENT POLICY FOR CALENDAR YEAR 2024 AND DIRECTING THE ADMINISTRATIVE SERVICES DIRECTOR TO IMPLEMENT THE POLICY**

**7.c. RESOLUTION NO. 26-24 (CM)  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING PLANS AND SPECIFICATIONS AND CALLING FOR BIDS FOR THE WWTF ELECTRICAL SYSTEM HAZARD MITIGATION PROJECT, NO. WW-22-14797, WHICH WILL BE FUNDED FROM THE SEWER ENTERPRISE FUND**

**7.d. RESOLUTION NO. 27-24 (CM)  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING FIRST AMENDMENT TO CONTRACT FOR CONSULTANT SERVICES BETWEEN THE CITY OF WATSONVILLE AND TRAFFIC PATTERNS, LLC., A LIMITED LIABILITY COMPANY, FOR THE ON CALL TRAFFIC SERVICES FOR DESIGN REVIEW, TRAFFIC ENGINEERING STUDIES, TRAFFIC ANALYSIS REVIEW, PRIVATE DEVELOPMENT SITE PLAN REVIEW AND OFF SITE IMPROVEMENT CONCEPT PLANS AND APPROVING AN INCREASE IN THE CONTRACT COMPENSATION IN THE AMOUNT OF \$95,000 FOR A REVISED TOTAL CONTRACT AMOUNT OF \$190,000; AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE SAME**

**7.e. RESOLUTION NO. 28-24 (CM)  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE AWARDING DESIGN CONTRACT TO WALLACE GROUP, A CALIFORNIA CORPORATION, FOR THE**

**URBAN GREENING PROGRAM FOR THE DESIGN AND CONSTRUCTION OF GREEN INFRASTRUCTURE FOR THE NEW NATURE CENTER AT RAMSAY PARK, PHASE IV GREEN INFRASTRUCTURE PROJECT, IN AN AMOUNT NOT TO EXCEED \$119,175, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID CONTRACT**

**7.f. RESOLUTION NO. 29-24 (CM)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING A TWO-YEAR LEASE WITH ONE (1) FIVEYEAR OPTION TERM BETWEEN THE CITY OF WATSONVILLE AND THE COUNTY OF SANTA CRUZ, A POLITICAL SUBDIVISION OF THE STATE OF CALIFORNIA, FOR COUNTY PROPERTY AT 215 EAST BEACH STREET, (WATSONVILLE VETERANS MEMORIAL BUILDING), WATSONVILLE, CALIFORNIA, COMMENCING ON MARCH 1, 2024 AND ENDING FEBRUARY 28, 2026, AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE THE SAME AND ANY AMENDMENTS THERETO OF A NON-SUBSTANTIVE NATURE SUBJECT TO LEGAL APPROVAL**

**7.g. ORDINANCE NO. 1462-24 (CM)**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE REPEALING UNCODIFIED ORDINANCE NO. 1456-23 (CM) AND REPLACING IT WITH A NEW CODIFIED ORDINANCE; BY ADDING SECTION 2-1.123 (COMPENSATION) TO ARTICLE 1 (COUNCIL PROCEDURE) OF CHAPTER 1 (COUNCIL) OF TITLE 2 (ADMINISTRATION) OF THE WATSONVILLE MUNICIPAL CODE WHICH SETS THE COMPENSATION FOR EACH MEMBER OF THE CITY COUNCIL AND THE MAYOR**

**8. ITEMS REMOVED FROM CONSENT AGENDA – None**

**9. PRESENTATIONS & ORAL COMMUNICATIONS**

**9.a. ORAL COMMUNICATIONS FROM THE PUBLIC**

Maria Cadenas, Santa Cruz Community Ventures Executive Director, requested Council amend the City Charter to expand qualifications for appointment to City boards and commissions to all residents, regardless of voter registration status, and spoke about the reasons for her request such as promoting diversity, inclusivity, and expanded representation.

Cristal Gonzalez, Santa Cruz Community Ventures Semillitas Program Director, spoke in support of removing the registered voter status requirement found in Sections 409 and 900 of the City Charter and in support of diverse representation and inclusivity.

Takashi Mizuno, District 7, read a letter on behalf of him and other community members requesting Council approve a ceasefire resolution. (He submitted the letter and a draft resolution to Council.)

Kitty Mizuno, District 7, spoke in support of Council approving a ceasefire resolution and the negative impacts of the war in Gaza.

Nasreen expressed concerns over treatment received by Police prior to the meeting, spoke about the impacts of the war in Gaza, and requested Council approve a ceasefire resolution.

Casey Van Den Heuvel, Monterey/Santa Cruz Building & Construction Trades Council President, spoke about bidding requirements for Public Works & Utilities projects and

expressed concerns with one requirement potentially hindering bids. He expressed concerns over a staff report from the Santa Cruz County Board of Supervisors meeting where City staff expressed that the PLA had a negative impact on private developments.

Ani expressed disappointment with Council not approving a ceasefire resolution and spoke about her lack of trust in Council as a result.

Irene requested a Special City Council meeting to consider approval of a ceasefire resolution and expressed concerns with funding and aid given to Israel by the Federal government.

Priscilla spoke about her grandfather coming to the United States through the Bracero Program and the importance of braceros' labor. She expressed concerns with treatment of braceros from the program, spoke about the negative impacts of the war in Gaza on a local and global level, and requested Council consider approving a ceasefire resolution.

Victor, Pájaro Valley Unified School District employee, spoke about similarities between the Vietnam War and the war in Gaza. He expressed concerns over funding being spent on weapons and not on providing services for people.

? female, requested Council approve a ceasefire resolution. She requested clarification regarding actions the public could take to have an item placed on a Council meeting agenda.

Houda requested that Council approve a ceasefire resolution and stated Federal funding used for the war in Gaza could have instead been used to benefit the community.

Noula spoke in support of a ceasefire in Gaza and about the widespread negative effects of the war in Gaza.

Meriam spoke in support of a ceasefire in Gaza and about the negative impacts of the war.

Nat requested Council approve a ceasefire resolution, spoke about the war in Gaza, and about the importance of protecting all children.

Yesenia, District 7, spoke in support of a ceasefire resolution and expressed concern with the time for public comment being limited at a previous meeting. She spoke about conflicts in the region near Gaza and the negative impact of the war.

Tara Bailey spoke about the negative impacts of the war in Gaza and read a message from a friend in Gaza describing the situation.

Rachel spoke about the rising death toll in Gaza and encouraged Council to watch the videos posted on social media. She requested Council hold a Special City Council meeting to consider approving a ceasefire resolution.

Joe Alba, Sheet Metal Workers Local Union 104 retiree, requested Council support the PLA and spoke about its positive impact on new workers.

Basilio spoke about the impact of the war in Gaza and requested Council approve a ceasefire resolution.

Assistant City Manager Vides spoke about the City's efforts to empower women, stated March 8<sup>th</sup> was International Women's Day, and spoke about the women who worked for the City and their efforts to serve the community through their jobs.

Rosa Rice requested Council approve a ceasefire resolution.

Camille requested Council hold a Special City Council meeting to consider approving a ceasefire resolution.

? female, requested Council approve a ceasefire resolution.

Mark, Sheet Metal Workers Local Union 104 retiree, spoke about his efforts in negotiating for PLAs in San Jose and about the positive impacts of PLAs. He stated collaboration was essential.

Wayd La Pearle, Silicon Valley Contractors Association Chief Executive Officer (CEO), spoke in support of the PLA and stated their contractors would bid on upcoming projects.

Kelly spoke in support of a ceasefire resolution and stated concerns over Federal funding being used to aid Israel. She spoke about the negative impacts of the war in Gaza.

Abdul, District 7, stated various jurisdictions across the country had adopted ceasefire resolutions and expressed concerns that Council had not considered taking similar action.

**9.b. ORAL COMMUNICATIONS FROM THE COUNCIL**

Member Parker spoke about the Pajaro Regional Flood Management Agency meeting she participated in and about a meeting with the other two Council members who were part of the Henry J. Mello Performing Arts Center Board of Directors Joint Powers Authority. She mentioned other events she attended over the past weeks and highlighted an event in memory of Mas Hashimoto that was held the past Saturday.

Member Montesino spoke about his attendance to the Muzzio Park Community Garden Grand Opening and thanked the Community Health Trust of Pajaro Valley for their collaboration.

Member Dutra spoke about various events he attended over the past weeks, including Nourish, a partnership between Second Harvest Food Bank and Watsonville Community Hospital, the Mas Hashimoto event, and a meeting with the owners of Vallarta, a new supermarket that would be opening in the City. He thanked members of the public for their attendance and participation at the meeting.

Mayor Pro Tempore Orozco spoke about her attendance to the Muzzio Park Community Garden Grand Opening, mentioned other events she attended, and stated the nomination period for the 22<sup>nd</sup> Annual César Chávez Community Awards would open soon. She expressed concerns over Council's direction at the last meeting regarding keeping the registered voter requirement to serve on boards and commissions and stated she would be requesting the original amendments suggested by the City Charter Subcommittee be kept.

Member Dutra stated February was Black History Month and spoke about the contributions made by black people in the community.

Mayor Quiroz-Carter spoke about her efforts to place a ceasefire resolution on a Council meeting agenda and to hold a Special City Council meeting for the same purpose, and about the importance of having a discussion on the subject. She stated global issues had local impacts and spoke about the effect of the war in Gaza on a personal level.

**9.c. REPORT OUT OF CLOSED SESSION**

City Attorney Zutler stated no reportable action was taken during Closed Session.

**10. REPORTS TO COUNCIL – No Action Required**

**10.a. CITY MANAGER’S UPDATE REPORT**

City Manager Mendez stated staff was exploring the possibility of rescheduling the March 12<sup>th</sup> Council meeting to March 19<sup>th</sup>.

**10.b. ECONOMIC DEVELOPMENT STRATEGIC PLAN SUMMARY**

**Staff report by Kosmont Companies President Ken Hira**

In answering Member Clark, Kosmont Companies President Hira spoke about the vacant K-Mart building in relation to tracking of occupied properties, additional studies of vacant properties, and potential revenue from multi-family housing.

Kosmont Companies President Hira, in answering Member Dutra, spoke about potential benefits of public-private partnerships and private funding.

Assistant City Manager Vides added that elements of the Downtown Watsonville Specific Plan (DWSP) relating to CEQA and environmental impact report requirements for developers created the potential for exploring partnerships with private developers.

Assistant City Manager Vides spoke about the importance of the DWSP and the Economic Development Strategic Plan in working with private developers.

In answering Member Dutra, Assistant City Manager Vides spoke about exploring potential use of a property on Hangar Way for development and about market rate housing projects.

Kosmont Companies President Hira, in answering Member Montesino, spoke about efforts to create time frames around the Economic Development Strategic Plan, including hiring a dedicated staff member to focus on its implementation and exploring growth scenarios should the Airport be closed.

**Staff report by Assistant City Manager Vides**

Assistant City Manager Vides, in answering Member Clark, spoke about engagement efforts with downtown business owners and the Revolving Loan Program available to small businesses.

In answering Member Montesino, Assistant City Manager Vides spoke about efforts to address parking issues in the downtown area.

Assistant City Manager Vides, in answering Member Parker, stated development opportunities in the City’s industrial zone were being explored.

In answering Member Parker, Kosmont Companies President Hira spoke about exploring properties in the industrial zone for development.

Member Salcido stated it was necessary to streamline processes for new businesses and continue collaborating with business owners.

Member Dutra spoke in support of exploring restoration of historic buildings.

In answering Member Parker, City Manager Mendez stated the Special City Council meeting scheduled for March 23<sup>rd</sup> would include exploring potential solutions to concerns with homelessness and crime in the downtown area.

Mayor Pro Tempore Orozco spoke about the importance of accessibility and requested a centralized location for new businesses to access necessary resources.

In answering Mayor Pro Tempore Orozco, Assistant City Manager Vides spoke about connecting the General Plan Update with economic development and exploring potential annexation of property along Lee Road.

City Manager Mendez, in answering Mayor Pro Tempore Orozco, spoke about work in progress to explore possibly annexing property on Lee Road and about efforts to integrate Council priorities and community needs in economic development efforts.

In answering Mayor Pro Tempore Orozco, Assistant City Manager Vides spoke about exploring ways to provide assistance with marketing to downtown businesses.

Assistant City Manager Vides, in answering Member Clark, stated the Pájaro Valley Chamber of Commerce was included in their efforts.

#### **10.c. 2023-2025 STRATEGIC PLAN UPDATE**

##### **Staff report by Assistant City Manager Vides**

In answering Member Dutra, Assistant City Manager Vides spoke about funding and the timeline for construction of the City's new Nature Center.

#### **11. PUBLIC HEARINGS, ORDINANCES, & APPEALS**

##### **11.a. CONSIDERATION OF COMPREHENSIVE FINANCIAL REPORT FOR FY 2022-23 AND MID-YEAR REPORT FOR FY 2023-24**

###### **1) Staff Report by Administrative Services Director Duran**

###### **2) City Council Clarifying & Technical Questions**

In answering Member Clark, City Manager Mendez stated grant funding was not currently at risk. He spoke about potential concerns with Measure R funds due to possible changes in tax related State legislation, about the City's financial outlook and use of funding for homelessness related services.

Assistant City Manager Vides answered Member Clark's question regarding use of City funds for collaborative efforts with Santa Cruz County to provide homelessness services.

In answering Member Clark, Police Chief Zamora spoke about the duties that would be assigned to the additional Police Service Specialists the department was requesting.

City Manager Mendez answered Member Clark's question regarding the funding allocation request for a pilot program exploring solutions for homelessness.

In answering Member Montesino, Administrative Services Director Duran spoke about sales tax generated by the City's car dealerships and about the sidewalk repair program.

Fire Chief Lopez answered Member Montesino's question regarding the increase in overtime costs for Fire and efforts to fill vacancies.

In answering Member Parker, Fire Chief Lopez and Administrative Services Director Duran spoke about potential revenue generated through participation in the State's Master Mutual Aid Agreement by sending firefighters to assist in other jurisdictions. Fire Chief Lopez also spoke about challenges due to vacant positions.

Fire Chief Lopez answered Member Salcido's question regarding vacancies within the department, including retirees and staff on leave.

In answering Member Parker, Library Director Martinez spoke about effects of the pandemic on material check-out levels, about hours of operation, staff, online services, additional funding opportunities, community engagement efforts and various Library programs.

Police Chief Zamora, in answering Member Parker, spoke about possible reasons why service calls had decreased over the past years, the decrease in moving violation citations, current vacancies, and funding for the additional Police Service Specialists being requested.

In answering Member Dutra, Police Chief Zamora spoke about the number of Police officers that were on leave and vacancies.

Police Chief Zamora, in answering Member Parker, spoke about the various reasons overtime costs had increased, challenges with hiring and retaining officers, and exploring ways of increasing successful recruitments.

In answering Member Parker, Administrative Services Director Duran spoke about the City's CalPERS unfunded liability costs.

City Manager Mendez, in answering Member Parker, stated funding requested to address concerns with homelessness would not be used for Monterey County's tiny homes project.

In answering Member Parker, Assistant City Manager Vides spoke about the terms of the settlement of a State lawsuit against the opioid crisis and the agreement the City and other jurisdictions entered into with the County of Santa Cruz to administer and utilize the funds due to restrictions on allowed uses and reporting requirements.



Member Parker requested additional information on the agreement Assistant City Manager Vides spoke about, including a report to Council on how the funds were being utilized by the County.

In answering Member Dutra, Public Works & Utilities Director Lindberg spoke about the timeline for implementation of the City's Pavement Management Plan and additional pavement repairs along Freedom Boulevard and spoke about how pavement repairs throughout the City were prioritized.

City Manager Mendez, in answering Member Dutra, spoke about reasons for requesting funding for a homelessness pilot program, the need for exploring alternate solutions to having Police officers respond to calls involving homeless persons, and the additional Police Services Specialists requested by the department.

Member Dutra requested the funding for a homelessness pilot program not be allocated until after the Special City Council meeting on exploring solutions for homelessness concerns.

Member Montesino underscored the importance of addressing the homelessness concerns voiced by the community and stated changes could be made to the pilot program if needed.

In answering Member Clark, Police Chief Zamora stated Police officers had the authority to place someone experiencing a mental health crisis on a 72-hour psychiatric hold, but Police Service Specialists did not.

Police Chief Zamora, in answering Member Salcido, spoke about safety and other specialized training received by Police Service Specialists which aided in responding to calls involving homeless persons, and about how it was determined what calls Police Service Specialists could respond to. He also spoke about work being done by Police's CARE team and the importance of proactiveness.

In answering Member Parker, Administrative Services Director Duran spoke about actual cannabis tax revenues received by the City versus initial projections and stated those revenues were included in the General Fund.

### **3) Public Comments**

Bernie Gomez, District 1, expressed concerns with language used to speak about the homeless population and those suffering mental health and substance abuse issues. He listed concerns with allocating additional funds to Police.

Karina Moreno, County of Santa Cruz Human Services Commissioner, spoke about providing services and support to the homeless population, including exploring the CAHOOTS crisis response model, and spoke in support of not delaying implementation of the homelessness pilot program. She congratulated Mayor Quiroz-Carter and Mayor Pro Tempore Orozco on their appointments.

Yesenia, District 7, expressed concerns over the language being used to describe homeless community members, requested funds be allocated towards providing services, and expressed concerns with criminalization of homeless persons.

- 4) **MOTION:** It was moved by Member Montesino, seconded by Member Salcido, and carried by the following vote to approve items 11.a.6. through 11.a.9. listed below.

Member Dutra stated he would support the funding allocation for the homelessness pilot program and requested an action plan be discussed during the Special City Council meeting.

**MOTION:** The above motion carried by the following vote.

AYES: MEMBERS: Clark, Dutra, Montesino, Orozco, Parker, Salcido, Quiroz-Carter  
NOES: MEMBERS: None  
ABSENT: MEMBERS: None

5) **City Council Deliberation on Motion – None**

6) **Accept by motion, the Annual Comprehensive Financial Report for FY 2022-23**

7) **Accept by motion, the Mid-Year Financial Report for the 2023-24 Fiscal Year**

8) **Accept by motion, the Annual Measure Y Audit Report for FY 2022-23**

9) **RESOLUTION NO. 30-24 (CM)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE  
AMENDING THE 2023-24 BUDGET TO AUTHORIZE \$3,735,852 BUDGET  
APPROPRIATION INTO VARIOUS FUNDS AND TO AUTHORIZE FOUR ADDITIONAL  
POSITIONS**

11.b. **SAFE FIREARM STORAGE REQUIREMENTS**

1) **Staff Report by City Attorney Zutler & Police Chief Zamora**

2) **City Council Clarifying & Technical Questions**

Member Dutra spoke about the reasons he requested the item be considered by Council, including the safety of young people.

In answering Member Clark, City Attorney Zutler stated that antique, unloaded firearms such as muskets did not fit the definition of “firearm” listed in the ordinance and therefore would not be included.

City Attorney Zutler, in answering Member Clark, read the definition of “locked container” found in the ordinance.

In answering Member Clark, City Attorney Zutler read the definition of “residence” found in the proposed ordinance.

City Attorney Zutler, in answering Member Parker, stated the ordinance could be amended to include tents under the definition of “residence.”

In answering Member Parker, Police Chief Zamora stated there was case law that set precedent for tents to be considered residences.

City Attorney Zutler, in answering Member Salcido, stated similar ordinances had been adopted by jurisdictions across the State and spoke about the differences between State law and the City's proposed ordinance.

Mayor Pro Tempore Orozco thanked Member Dutra for requesting the item and spoke in support of the ordinance and about the importance of protecting youth and those suffering mental health issues.

**3) Public Comments – None**

- 4) MOTION:** It was moved by Member Dutra, seconded by Mayor Pro Tempore Orozco, and carried by the following vote to introduce the ordinance listed under Item 11.b.6. below, with the changes read into the record by City Attorney Zutler, which were as follows:

Add the phrase "tents, tent-like structures" to the definition of "Residence" under Section 4-7.06 (a)(4).

AYES: MEMBERS: Clark, Dutra, Montesino, Orozco, Parker, Salcido, Quiroz-Carter  
NOES: MEMBERS: None  
ABSENT: MEMBERS: None

**5) City Council Deliberation on Motion – None**

- 6) By Motion, Introduce for First Reading, by Title Only, Waiving the Full Reading of the Text, an Ordinance Adding Section 4-7.06 (Safe Firearm Storage) to Chapter 7 (Weapons) of Title 4 (Public Safety) of the Municipal Code Relating to Safe Storage of Firearms**

**12. EMERGENCY ITEMS ADDED TO AGENDA – None**

**13. REQUESTS & SCHEDULING FUTURE AGENDA ITEMS**

**13.a. CONSIDERATION OF SCHEDULING FUTURE AGENDA ITEMS SUBMITTED BY COUNCIL MEMBERS AT PREVIOUS MEETINGS**

**1) Staff Report**

**2) City Council Clarifying & Technical Questions**

Mayor Quiroz-Carter spoke about the reasons why she had requested an information item regarding park restrooms.

Member Montesino stated sandwich sign boards could create safety hazards and spoke about the need to keep the downtown area clean.

Member Parker stated additional code enforcement officers were needed to address issues including unpermitted sale of food outside schools and for additional enforcement.

**3) Public Input – None**

**4) MOTION:** It was moved by Member Clark, seconded by Mayor Pro Tempore Orozco, and carried by the following vote to schedule an agenda item regarding hours of operation for park restrooms.

AYES: MEMBERS: Clark, Dutra, Montesino, Orozco, Parker, Salcido, Quiroz-Carter  
NOES: MEMBERS: None  
ABSENT: MEMBERS: None

**5) MOTION:** It was moved by Member Clark, seconded by Member Dutra, and carried by the following vote to schedule agenda items regarding the sign ordinance and code enforcement efforts pertaining to sandwich sign boards and code enforcement efforts in general.

AYES: MEMBERS: Clark, Dutra, Montesino, Orozco, Parker, Salcido, Quiroz-Carter  
NOES: MEMBERS: None  
ABSENT: MEMBERS: None

**6) Motion Scheduling an Agenda Item Regarding Code Enforcement Efforts** – was included in the previous motion.

**13.b. REQUESTS FOR FUTURE AGENDA ITEMS**

Member Montesino requested an item regarding cleaning and maintenance efforts downtown and Citywide.

Member Parker requested a discussion on the impact of homelessness on the community, providing services, and compassionate treatment be included on the agenda for the March 23<sup>rd</sup> Special City Council meeting.

**14. ADJOURNMENT**

The meeting was adjourned at 10:56 p.m.

\_\_\_\_\_  
Vanessa Quiroz-Carter, Mayor

ATTEST:

\_\_\_\_\_  
Irwin I. Ortiz, City Clerk

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# Agenda Report



**MEETING DATE:** Tuesday, May 14, 2024

**TO:** City Council

**FROM:** PUBLIC WORKS & UTILITIES DIRECTOR LINDBERG

**THROUGH:** CITY MANAGER MENDEZ

**SUBJECT:** RESOLUTION REJECTING ALL BIDS FOR THE WWTF ELECTRICAL SYSTEM HAZARD MITIGATION PROJECT, NO WW-22-14797

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## **RECOMMENDED ACTION:**

Adopt a resolution rejecting all bids for the WWTF Electrical System Hazard Mitigation Project, No. WW-22-14797, as authorized by Watsonville Municipal Code Section 7-14.09(a)(1), and in order to meet the competition requirements for federal and state grant funding received on the project.

## **BACKGROUND:**

The City bid WWTF Electrical Hazard Mitigation, Project No. WW-22-14797 and has received responses.

## **DISCUSSION:**

The City's Local Hazard Mitigation Plan (LHMP) identified the critical components of the Wastewater Treatment Facility's (WWTF) electrical system as highly vulnerable to seismic, flood, and climate-related hazards. Project No. WW-22-14797 will create a resilient electrical system for this critical community infrastructure by relocating and consolidating the WWTF critical electrical facilities away from their current hazard-vulnerable locations into one new Main Electrical Facility.

The City was awarded a grant through the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program and the California Governor's Office of Emergency Services (CalOES) Prepare CA Match program for a total grant award of \$16,912,774, plus an additional \$750,000 for grant management costs.

The engineer's estimate of probable construction cost was \$19,073,000. Sealed bids were received at 250 Main Street on Tuesday, April 30, 2024, at 2:00PM, at which time, only one bid was received, as summarized below:

<b>Contractor</b>	<b>Total Bid</b>	<b>Engineer's Estimate</b>	<b>Difference</b>
Shimmick Construction, Inc.	\$25,997,140	\$19,073,000	\$6.9 million

The project must follow Federal procurement regulations under the Code of Federal Regulations (CFR) Title 2, Part 200 Subpart D, in order to meet the grant funding requirements.

CFR 200.319 requires that competition be ensured by meeting the requirements of 200.319 (b). The WWTF Electrical System Hazard Mitigation Project cost requires the Formal Procurement methods be followed in accordance with CFR Section 200.320 (b). Subsection (1) (i) requires “two or more responsible bidders willing and able to compete effectively for the business”. Accepting the sole bid received would thus likely require the City to forfeit grant funding for the project. Staff thus recommends rejecting the bid and rebidding the project, in an effort to receive competitive bids sufficient to comply with the grant requirements.

**STRATEGIC PLAN:**

This project supports Strategic Plan Priority:

2-Infrastructure & Environment

**FINANCIAL IMPACT:**

No financial impact at this time for rejecting bids.

**ALTERNATIVE ACTION:**

Instead of rejecting the bid, Council could elect to award this project to Shimmick Construction, Inc. This would jeopardize the receipt of the \$17 million federal grant funding due to not meeting the grant-required federal procurement requirements. The Sewer Enterprise Fund does not have sufficient budget to cover the cost of the submitted bid and would require an alternate loan or bonding source.

**ATTACHMENTS AND/OR REFERENCES (If any):**

None.

**RESOLUTION NO. \_\_\_\_\_ (CM)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE REJECTING ALL BIDS FOR THE WWTF ELECTRICAL SYSTEM HAZARD MITIGATION PROJECT, NO. WW-22-14797**

**WHEREAS**, the City Council adopted Resolution No. 26-24 (CM) accepting plans and specifications and authorizing the bid of the WWTF Electrical System Hazard Mitigation Project, No. WW-22-14797; and

**WHEREAS**, the bids for the WWTF Electrical System Hazard Mitigation Project, No WW-22-14797, were publicly opened in the “Old City Council Chambers”, City Hall, 250 Main Street, Watsonville, CA on Tuesday April 30, 2024 at 2:00pm, and later tabulated by the Purchasing Officer for the consideration of the City Manager and submission to the City Council; and

**WHEREAS**, the City was previously awarded a grant through the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program and the California Governor’s Office of Emergency Services (CalOES) Prepare CA Match program for a total grant award of \$16,912,774, plus an additional \$750,000 for grant management costs; and

**WHEREAS**, the project must follow Federal procurement regulations under the Code of Federal Regulations (CFR) Title 2, Part 200 Subpart D in order to meet the grant funding requirements;

**WHEREAS**, CFR 200.319 requires that competition be ensured by meeting the requirements of 200.319 (b). The WWTF Electrical Hazard Mitigation Project cost requires the Formal Procurement methods be followed in accordance with CFR Section 200.320 (b). Subsection (1) (i) requires “two or more responsible bidders willing and able to compete effectively for the business”; and



**WHEREAS**, the City received only one bid, for \$6.9 million in excess of the engineer's estimate; and

**WHEREAS**, accepting the sole bid received would jeopardize the grant funding for the project; and

**WHEREAS**, Watsonville Municipal Code Section 7-14.09(a)(1) authorizes the City to reject any and all bids presented and readvertise for bids.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:**

That, pursuant to Watsonville Municipal Code Section 7-14.09(a)(1), the sole bid received for the WWTF Electrical System Hazard Mitigation Project, No. WW-22-14797 is hereby rejected.

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# Memo

**To:** Planholders  
**From:** Danielle Green, Assistant Director Public Works & Utilities  
**Date:** May 2, 2024  
**Re:** WWTF Electrical System Hazard Mitigation Project WW-22-14797

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This memo summarizes the bid results of the subject project, and the proposed subcontractors. The list of subcontractors was provided by the contractor who submitted a bid. The City of Watsonville has not verified the subcontractors participation, at this time.

If you have any questions regarding this memo, please contact Danielle Green, Assistant Director of PW&U, email [danielle.green@cityofwatsonville.org](mailto:danielle.green@cityofwatsonville.org),

**Bid Results**

<b>Contractor</b>	<b>Total Bid</b>
Shimmick Construction, Inc.	\$25,997,140

**Listed Subcontractors**

- 1. Conco – Low Density Cellular Concrete
- 2. Duran & Venables – AC Paving
- 3. Farrell Design Build Inc. - Drill Displacement Columns
- 4. Cornerstone Masonry, Inc. – CMU
- 5. Lonestar Landscape, Inc. – Landscape
- 6. Blocka Construction, Inc. - Mechanical Work
- 7. Associated Rebar - Rebar



**Watsonville**  
CALIFORNIA

**WWTF Electrical System Hazard Mitigation  
City Project No. WW-22-14797**

**Contract Documents  
Issued for Bid**

**Volume 1 of 3:  
BIDDING, CONTRACTING AND GENERAL  
REQUIREMENTS**

**February 2024**

**City of Watsonville**  
**WWTF Electrical System Hazard Mitigation**  
**City Project No. WW-22-14797**

**SECTION 00 01 10**  
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**VOLUME 1: BIDDING, CONTRACTING, AND GENERAL REQUIREMENTS****INTRODUCTORY INFORMATION**

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**BIDDING REQUIREMENTS**

00 11 13	Notice Inviting Bids
00 21 13	Instructions to Bidders
00 21 15	Access, Indemnity and Release Agreement
00 21 50	Project Labor Agreement
00 22 00	Federal FEMA HMGP Grant Requirements
00 23 55	Copeland Anti-Kickback Act Requirements
00 31 00	Supplemental Project Information Available to Bidders
00 40 00	Bid Form
00 40 10	Bidder's Bond
00 40 15	Site Visit Declaration
00 40 20	Designation of Subcontractors
00 40 25	Schedule of Major Equipment and Materials Suppliers
00 40 30	Non-Collusion Declaration
00 40 35	Iran Contracting Act Certification
00 40 36	Russia Related Sanctions
00 40 38	Anti-Lobbying Certification Form
00 40 40	Debarment Certification
00 40 42	Certificate of Drug-Free Workplace
00 40 45	Certificate of Bidder's Experience and Qualifications
00 40 50	Certificate of Electrical Subcontractor's Experience and Qualifications
00 40 52	Statement of Safety Compliance
00 40 55	Bid Document Certification

**CONTRACTING REQUIREMENTS**

00 51 00	Notice of Award
00 52 00	Agreement
00 52 10	Corporation Certificate of Authorization
00 52 20	Partnership Certificate of Authorization
00 52 30	Joint Venture Certificate of Authorization
00 52 40	LLC Certificate of Authorization
00 55 00	Sample Escrow Agreement for Security Deposits in Lieu of Retention
00 61 10	Performance Bond Form

**SECTION 00 11 13**  
**NOTICE INVITING BIDS**

**ARTICLE 1 — BID OPENING**

- 1.1 NOTICE IS HEREBY GIVEN** that the Purchasing Officer of the City of Watsonville (hereafter referred to as “City” or “Owner”), invites and will receive sealed bids at the lobby counter located in City Hall, 250 Main Street, Watsonville, California 95076 until 2 p.m., local time, **April 11, 2024**, at which time bids will be publicly opened and read aloud in the Old City Council Chambers for the following project.

**WWTF Electrical System Hazard Mitigation Project**

**City Project No. WW-22-14797**

NO LATE BIDS WILL BE ACCEPTED.

**ARTICLE 2 — PROJECT INFORMATION**

**2.1 DESCRIPTION OF THE WORK**

In accordance with Drawings and Specifications prepared by the City’s Design Engineers, the Work includes furnishing of all labor, materials, tax, equipment, incidentals and services for the construction and completion of the WWTF Electrical System Hazard Mitigation Project (“Project”). The Work includes but is not limited to construction of an electrical facility, emergency generator and appurtenances, duct banks, boxes, wiring, electrical appurtenances, civil site improvements and all other additional work as needed to construct a complete and operational project as specified in these Contract Documents.

**2.2 CERTIFICATES OF EXPERIENCE AND QUALIFICATIONS**

Due to the complexity and scope of this critically important project, the City requires minimum prior related successful project experience for General Contractors and General Contractor’s Project Manager and Electrical Subcontractors. These requirements are found in Section 00 40 55, Certification of Bidder’s Experience and Qualifications and Section 00 40 50, Certification of Electrical Subcontractor’s Experience and Qualifications.

**2.3 ESTIMATED COST OF THE WORK**

**The estimated cost for this work is: \$19,073,000** (nineteen million seventy-three thousand dollars)

**2.4 CONTRACT TIME**

The Contract Time for the completion of all the Work of the Project is 1,000 (one thousand) calendar Days.

**2.5 PROJECT LABOR AGREEMENT**

**Pursuant to Chapter 17, Section 7 of the City of Watsonville Municipal Code, the Contractor shall enter into the Project Labor Agreement, which is included herein, if the awarded contract is \$600,000.00 or greater, and employs three or more crafts.**

**2.6 FEDERAL FUNDING**

Bidders are hereby notified that this project is funded in part by a Federal FEMA HMGP grant and State CalOES Prepare California Match grant. Bidding contractors and their subcontractors shall comply with the grant requirements in Section 00 22 00, and attention is particularly directed to the affirmative steps outlined in CFR 200.321 (b) relating to contracting with small and minority businesses, women’s business enterprises, and labor surplus area firms.

**SECTION 00 21 50**  
**PROJECT LABOR AGREEMENT**

**ARTICLE 1 — PROJECT LABOR AGREEMENT**

**1.01 GENERAL**

- A. A copy of a Project Labor Agreement is included as Appendix A in the Contract Documents. The Contractor and each subcontractor must comply with the terms of the Project Labor Agreement, which supersedes any conflicting provisions in the balance of the Contract Documents unless otherwise restricted under applicable law.
- B. Contractor is solely responsible for the cost of its and its subcontractor's compliance with the requirements of the Project Labor Agreement. Contractor and each subcontractor is directed to carefully review the Project Labor Agreement and execute the "Agreement To Be Bound" (Attachment A to the Project Labor Agreement) and return an executed copy to the City. The executed "Agreement To Be Bound" from the Contractor and each subcontractor must be submitted to the City within the timeframe specified in the City's notice of award.

**END OF SECTION**

## APPENDIX A

### MASTER PROJECT LABOR AGREEMENT FOR THE CITY OF WATSONVILLE

#### INTRODUCTION / FINDINGS

This Agreement is entered into this 27<sup>th</sup> day of August, 2014, by and between the City of Watsonville (hereinafter, the "City"), together with contractors and/or subcontractors, who become signatory to this Agreement by signing the "AGREEMENT TO BE BOUND" (ATTACHMENT A) (all of whom are referred to herein as "Contractors/Employers"), and the Monterey/Santa Cruz Building and Construction Trades Council ("Council") and its affiliated local Unions that have executed this Agreement (all of whom are referred to collectively as "Union" or "Unions").

The purpose of this Agreement is to promote efficiency of construction operations on City Projects ("the Project") as defined herein, and to provide for peaceful settlement of labor disputes and grievances without strikes or lockouts, thereby promoting the public interest in assuring the timely and economical completion of the Project. The City and the Council may mutually agree in writing to add additional components to the Project's Scope of Work to be covered under this PLA.

WHEREAS, the timely and successful completion of the Project is of the utmost importance to the City to avoid increased costs resulting from delays in construction; and

WHEREAS, large numbers of workers of various skills will be required in the performance of the construction work, including those to be represented by the Unions signatory to this Agreement and employed by contractors and subcontractors who are also signatory to this Agreement; and

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

WHEREAS, the interests of the general public, the City, the Unions and Contractor/Employers would be best served if the construction work proceeded in an orderly manner without disruption because of strikes, sympathy strikes, work stoppages, picketing, lockouts, slowdowns or other interferences with work; and

WHEREAS, the Contractor/Employers and the Unions desire to mutually establish and stabilize wages, hours and working conditions for the workers employed on the Project by the Contractor/Employer(s) and the Union(s) to the end that a satisfactory, continuous and harmonious relationship will exist among the parties to this Agreement; and