

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS COMMITTING TO NEGOTIATE AND EXECUTE A PROJECT LABOR AGREEMENT PER PUBLIC PROJECT FOR SPECIFIED PROJECTS**

**WHEREAS**, at the August 4, 2020 City Council meeting, the City Council directed staff to return with a draft Project Labor Agreement or Community Workforce Agreement; and

**WHEREAS**, a project labor agreement (“PLA”) ensures that City projects covered by the PLA are performed by union-represented workers; and

**WHEREAS**, a PLA requires that all contractors performing work typically within the jurisdiction of the trade unions on the covered projects, whether they are normally signatories to a collective bargaining agreement or not, submit to union representation, at least for the duration of the PLA projects; and

**WHEREAS**, although staff has been working on drafting and negotiating a citywide PLA, the City Council may in addition to, or in the alternative, seek to express its commitment to ensuring that a PLA is negotiated and executed per public project for specified projects as discussed in this Resolution; and

**WHEREAS**, the commitment expressed by the City Council in this resolution shall only control in the event a citywide PLA is abandoned or cannot be successfully negotiated and executed.

**NOW THEREFORE**, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The City Council hereby expresses its commitment to ensuring that a PLA is negotiated and executed per public project for specified projects to be discussed and decided upon annually by the City Council at the time the budget is reviewed and discussed prior to adoption.
3. The City Council hereby directs staff to provide a list of all upcoming public projects to be bid for the financial year at the time the budget is reviewed and discussed prior to adoption so that the City Council and staff can determine which public projects shall be subject to a PLA.

PASSED AND ADOPTED this \_\_\_ day of \_\_\_\_\_, 2020, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Rich Tran, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Christopher J. Diaz, City Attorney