



## Legislation Details (With Board Report)

---

**File #:** ORD 12-029      **Name:** Adopt Ord Local Hiring Process Const. Contracts  
**Type:** Ordinance      **Status:** Passed  
**File created:** 10/23/2012      **In control:** Board of Supervisors  
**On agenda:** 12/11/2012      **Final action:** 12/11/2012

**Title:** Adopt an Ordinance amending Section 5.08.120 of the Monterey County Code, in response to Board Referral 2011.07 regarding the local hiring process for County construction contracts.

**Sponsors:** Public Works / RMA

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Completed Board Order & Ordinance 5210

| Date       | Ver. | Action By            | Action  | Result |
|------------|------|----------------------|---------|--------|
| 12/11/2012 | 1    | Board of Supervisors | adopted | Pass   |

Adopt an Ordinance amending Section 5.08.120 of the Monterey County Code, in response to Board Referral 2011.07 regarding the local hiring process for County construction contracts.

### RECOMMENDATION:

It is recommended that the Board of Supervisors adopt an ordinance amending Section 5.08.120 of the Monterey County Code, in response to Board Referral 2011.07 regarding the local hiring process for County construction contracts.

### SUMMARY/DISCUSSION:

On October 23, 2012, the Board introduced, waived the reading, and set today's date and time to consider adoption of the ordinance amending Section 5.08.120 of the Monterey County Code. In response to Board Referral 2011.07 regarding the Resource Management Agency - Public Works' (RMA-PW) local hiring process for County construction projects, staff from the Office of the County Counsel and RMA-PW met with several stakeholder groups on multiple occasions to discuss the Referral in depth.

During the meetings, members of the stakeholders group and County staff discussed Monterey County Code, Title 5, Section 5.08.120. The group focused on strengthening and clarifying the regulations related to contractors on County public works projects employing Monterey Bay Area residents, currently defined as residents of Monterey, San Benito and Santa Cruz Counties, in addition to addressing specialized work exceptions, requiring documentation for monitoring compliance and defining "good faith effort." The stakeholders specifically requested the language be modified to include displaced Monterey County workers by extending the residency requirement to one year out of the last three years. The group also agreed to exempt specialty items for which there is not a sufficient work force within Monterey County. Contractors shall be required to document and report to the RMA - PW the hours performed by Monterey Bay Area residents. Additionally, "good faith" is defined to clarify the expectations of the County; this includes contacting local recruitment sources, advertising locally for qualified Monterey Bay Area residents, identifying subcontractors whose workforce includes Monterey Bay Area residents, and developing a written plan to recruit Monterey Bay Area residents. The recommended changes to the ordinance are included in the modified ordinance.

OTHER AGENCY INVOLVEMENT:

The Board of Supervisors District 4 Office, the Office of the County Counsel, Contracts/Purchasing, the RMA, a variety of stakeholders in developing the proposed amendments including Monterey/Santa Cruz Building and Construction Trades Council, International Brotherhood of Electrical Workers Local 234, Operative Plasterers' and Cement Masons' Local Union #300, William A. Thayer Construction, Incorporated, Graniterock, and The Don Chapin Company, Incorporated collaborated efforts on this matter.

FINANCING:

The implementation of proposed Ordinance amending Section 5.08.120 of the Monterey County Code, will be funded by each project. The cost of implementation is anticipated to be minor relative to the cost of construction of the project.

Prepared by: Paul H. Greenway, P.E., Assistant Director of Public Works, (831) 755-4807

Approved by:

---

Robert K. Murdoch, P.E. Director of Public Works

---

Benny J. Young, RMA Director

Dated: November 30, 2012

Attachment: Ordinance