



CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

C-5

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January 15, 2019

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a Resolution adopting a Labor Compliance Program for Proposition 84-funded public works projects in conformance with the requirements of the State of California Department of Industrial Relations; and,

Authorize the City Manager, or designee, to implement and enforce a Labor Compliance Program with the use of consultants. (Citywide)

DISCUSSION

City Council approval is requested to submit necessary documents to the State of California Department of Industrial Relations (DIR) to obtain DIR approval of a Labor Compliance Program (LCP) specific to projects funded by Proposition 84, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84).

The City of Long Beach (City) has an existing Labor Compliance Division and contracts with labor compliance consulting firms to assist with labor compliance monitoring and enforcement on a broad range of City projects. The State of California has awarded the City various grants for capital improvement projects from Proposition 84, which requires that agencies obtain DIR approval of a LCP to monitor and enforce prevailing wage law and ensure that workers are paid appropriate wages on the City's Proposition 84-funded projects through a delegated authority of the DIR. The Labor Compliance Division will continue to oversee the compliance efforts conducted for ongoing Proposition 84-funded projects under the DIR-approved LCP.

Upon approval by the City Council, staff will develop and submit all necessary documents to the DIR for review and approval of the City's LCP for Proposition 84-funded projects, including an application and a Labor Compliance Policies and Procedures Manual. The DIR requires that the City's application be accompanied by a Resolution authorizing establishment of a DIR-approved LCP.

This matter was reviewed by Deputy City Attorney Linda T. Vu and by Budget Management Officer Rhutu Amin Gharib on December 19, 2018.

SUSTAINABILITY

Proposition 84 provides funds for safe drinking water, water quality and supply, flood control, waterway and natural resource protection, water pollution and contamination control, state and local park improvements, public access to natural resources, and water conservation efforts.

TIMING CONSIDERATIONS

City Council action is requested on January 15, 2019, to allow the City to proceed with obtaining approval from the DIR for the City's LCP for ongoing Proposition 84-funded projects.

FISCAL IMPACT

There is no fiscal or local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



JOHN GROSS
DIRECTOR OF FINANCIAL MANAGEMENT

JG:STP:YG
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APPROVED:



PATRICK H. WEST
CITY MANAGER

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH ADOPTING A LABOR
COMPLIANCE PROGRAM FOR PROPOSITION 84-
FUNDED PUBLIC WORKS PROJECTS; AND
AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE
TO IMPLEMENT AND ENFORCE THE LABOR
COMPLIANCE PROGRAM WITH THE USE OF
CONSULTANTS

WHEREAS, the California Labor Code §§ 1720-1781 requires contractors
on public works projects to pay their workers based on the prevailing wage rates which
are established by the Department of Industrial Relations ("DIR"), to keep accurate
payroll records, and to employ registered apprentices; and

WHEREAS, the City of Long Beach has applied for and has been granted
grant funds under Proposition 84, the Safe Drinking Water, Water Quality and Supply,
Flood Control, River and Coastal Protection Bond Act of 2006 ("Proposition 84"); and

WHEREAS the provisions of Proposition 84 require the establishment of a
Labor Compliance Program to monitor and enforce prevailing wage requirements on
projects using Proposition 84 funding; and

WHEREAS, the City has prepared a Labor Compliance Manual, which
encompasses the Labor Compliance Program for all covered projects; and

WHEREAS, the City is required to submit an application for approval of its
Labor Compliance Program to the DIR in order to implement its Labor Compliance
Program; and

WHEREAS, the provisions of Proposition 84 allow the City to utilize the
services of third party labor compliance consulting firms to assist with the provision of

1 services for the City's DIR-approved Labor Compliance Program;

2 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
3 follows:

4 Section 1. The City Council finds that the actions contemplated by this
5 resolution are exempt from the California Environmental Quality Act (CEQA).

6 Section 2. The City Council authorizes the establishment of a State of
7 California Department of Industrial Relations-approved Labor Compliance Program for all
8 Proposition 84-funded projects.

9 Section 3. The City Council authorizes the City Manager or designee to
10 execute all documents necessary to establish and enforce the Labor Compliance
11 Program.

12 Section 4. This resolution shall take effect immediately upon its adoption
13 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

14 I hereby certify that the foregoing resolution was adopted by the City
15 Council of the City of Long Beach at its meeting of _____, 2018
16 by the following vote:

17
18 Ayes: Councilmembers: _____

19 _____

20 _____

21 _____

22 Noes: Councilmembers: _____

23 _____

24 Absent: Councilmembers: _____

25 _____

26
27
28 _____
City Clerk