

AMENDMENT NO. 1
TO THE
COMMUNITY WORKFORCE AGREEMENT
BY AND BETWEEN
THE CITY OF LANCASTER
AND
LOS ANGELES/ORANGE COUNTIES BUILDING AND
CONSTRUCTION TRADES COUNCIL
AND THE SIGNATORY
LOCAL UNIONS AND DISTRICT COUNCILS

THIS AMENDMENT NO. 1 to the Community Workforce Agreement (“**Amendment**”) is entered into as of _____, 2020 and is by and between the Los Angeles/Orange Counties Building and Construction Trades Council and the signatory Local Unions and District Councils (collectively “**Unions**”) and the City of Lancaster (“**City**”) (collectively “**Parties**”).

RECITALS:

- A. On _____, 2018, the Parties entered into that certain Community Workforce Agreement (“**Existing CWA**”).
- B. Section 2.2 of the Existing CWA provides that the work covered by this Agreement is defined and limited to:
- (a) All construction and rehabilitation work pursuant to prime multi-trade contracts that exceed \$175,000.00 and all subcontracts arising from these prime contracts; and
 - (b) All prime specialty contracts that exceed \$100,000.00, and all subcontracts arising from these specialty contracts;
 - (c) It is understood by the Parties that the City may at any time, and at its sole discretion, add additional projects under this Agreement not set forth in subsections (a) and (b), above.
- C. The Parties desire to include, as additional work to be covered by the Existing CWA, certain additional construction work in which the City has a propriety interest.
- D. City and the Unions desire to amend the Existing PLA as set forth in this Amendment.

NOW, THEREFORE, it is mutually agreed by and between the Parties as follows:

AGREEMENT:

1. Section 2.2 of the Existing CWA is hereby amended by adding the following new subsection (d) as follows:
 - (d) Work covered by this Agreement shall also include projects built by, with or for the City where the City has a “Proprietary Interest” in a project. For the purposes of this Article, Proprietary Interest means: Where the City provides a cash payment, tax credit, loan or where the City transfers an asset of value for less than fair market price for the project site or project to be developed that exceeds one-million dollars.
2. New subsection (b) is hereby added to Section 2.7 as follows:
 - (b) Should the City receive funding or assistance from any federal agency that prohibits the use of a geographic-based hiring preferences, then such geographic-

based hiring preferences, as set forth in Sections 3.5, 3.6, 3.8 and 12.1 in this Agreement, shall not apply to the work funded by such federal source.

3. Section 3.11 is hereby deleted in its entirety and replaced with the following:

Section 3.11 Union Membership No employee covered by this Agreement shall be required to join any Union as a condition of being employed, or remaining employed, for the completion of Project Work; provided, however, that any employee who is a member of the referring Union at the time of referral shall maintain that membership in good standing while employed under this Agreement.

4. Except as expressly amended by this Amendment, the Existing CWA remains in full force and effect as originally executed.

IN WITNESS WHEREOF, the parties have caused this Amendment to be duly executed and delivered as of the date signed below by all Parties.

**LOS ANGELES/ORANGE COUNTIES
BUILDING AND CONSTRUCTION
TRADES COUNCIL**

BY: _____

Dated: _____

CITY OF LANCASTER

BY: _____

Dated: _____

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney