

RESOLUTION NO. 20160407-xxx

WHEREAS, the City is pursuing an economic redevelopment project called the [re]Manufacturing Hub at 10108 FM 812, which is City-owned property, for the purpose attracting remanufacturing, recycling and reuse businesses to southeast Austin; and,

WHEREAS, the [re]Manufacturing Hub can cultivate the creation of good jobs, increase the tax base, diversify the economy, and provide environmental benefits; and

WHEREAS, the Council desires that the [re]Manufacturing Hub provide economic benefits for nearby communities and all Austin taxpayers; and

WHEREAS, the Council recognizes that the potential uncertainties and disruptions arising from labor disputes within the businesses located at the [re]Manufacturing Hub would pose a significant risk to the achievement of the economic goals and benefits of the [re]Manufacturing Hub, and could jeopardize the City's job creation, tax base, and economic diversification interests generated by this project; and

WHEREAS, the City may seek proposals from a private entity to develop and manage the [re]Manufacturing Hub ("Master Developer"), with the expectation of the economic and environmental benefits for the City's taxpayers as described in this Resolution; **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The Council desires that the following requirements be included in the solicitation documents and contract for the Master Developer and initial and future tenants of the [re]Manufacturing Hub:

1. Contractors and subcontractors for construction projects shall comply with the same living wage, safety, workers' compensation insurance, and small, minority and women-owned business participation requirements, as may be amended from time to time, applicable to construction projects for which the City is the developer.

2. All employees at the [re]Manufacturing Hub shall be paid at least the same wage rate as the living wage rate applicable to City employees, and ensure that its non-construction contractors and subcontractors for goods and services pay their employees at least the same wage rate as the living wage rate applicable to City employees, as may be adjusted from time to time.

BE IT FURTHER RESOLVED:

The City Council directs the City Manager to develop a solicitation process and evaluation system that gives preference to Master Developers that, along with any other relevant criteria, will demonstrate the following:

1. A preference for employees hired from the Austin Metropolitan Statistical Area census tracts that are largely low-income or have high underemployment, especially census tracts encompassing and adjacent to the [re]Manufacturing Hub with these characteristics. This preference shall not be construed to conflict with the interstate commerce clause or in any way limit employees from moving to or from other census tracts once they are hired.

2. A preference for employees that graduated from local training and apprenticeship programs.

3. A Master Developer's commitment and plan to ensuring that employers at the [re]Manufacturing Hub will minimize the use of temporary staffing agencies and temporary workers in order to provide economic

development and full-time jobs to underemployed and low-income portions of the community.

4. Whether the construction contractors and subcontractors will be Better Builder certified or by an equivalent program.

5. Whether there will be a requirement imposed on all employers located at the [re]Manufacturing Hub to enter into a labor peace agreement, with any labor organization that requests a labor peace agreement and which represents, or reasonably might represent, workers on the project, as essential consideration for the City or Master Developer entering into the contract. Generally, a labor peace agreement will include the following provisions: (1) if an employer meets its obligations under the labor peace agreement, then the labor organization and its members are prohibited from engaging in any picketing, work stoppage, boycott, or other economic interference with the employer's operations in the [re]Manufacturing Hub, (2) an employer that performs its obligations under a labor peace agreement will be relieved of further obligation to abide by the procedures in the agreement, if the labor organization engages in adverse economic action such as striking, picketing, or boycotting the employer, and (3) shall not include any provision that would require or compel an employee to be a member of any labor organization, pay dues or fees to the organization, and (4) shall not compel an employer to enter a collective bargaining agreement with the labor organization except as may be provided in accord with federal laws governing collective bargaining.

6. Demonstrate past and future commitments to environmental stewardship and green industry innovation.

ADOPTED: _____, 2016 **ATTEST:** _____

Jannette S. Goodall

City Clerk

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