

List of Charter Cities That are in Compliance With
Senate Bills 7, 829, and 922 (see explanatory note below)

Current as of October 18, 2016

Adelanto	La Quinta	San Francisco
Alameda	Lancaster	San Jose
Albany	Lemoore	San Leandro
Alhambra	Lindsay	San Luis Obispo
Anaheim	Long Beach	San Marcos
Arcadia	Los Alamitos	San Mateo
Bakersfield	Los Angeles	San Rafael
Bell	Marina	San Ramon
Berkeley	Marysville	Sand City
Big Bear Lake	Merced	Santa Ana
Buena Park	Modesto	Santa Barbara
Burbank	Monterey	Santa Clara
Carlsbad	Mountain View	Santa Cruz
Cerritos	Napa	Santa Maria
Chico	Needles	Santa Monica
Chula Vista	Newport Beach	Santa Rosa
Compton	Norco	Santee
Culver City	Oakland	Seal Beach
Cypress	Oceanside	Shafter
Del Mar	Oroville	Signal Hill
Desert Hot Springs	Palm Desert	Solvang
Dinuba	Palm Springs	Stockton
Downey	Palmdale	Sunnyvale
El Cajon	Palo Alto	Temple City
El Centro	Pasadena	Torrance
Eureka	Petaluma	Truckee
Folsom	Piedmont	Tulare
Fortuna	Placentia	Vallejo
Fresno	Pomona	Ventura
Gilroy	Port Hueneme	Vernon
Glendale	Porterville	Victorville
Grass Valley	Rancho Mirage	Visalia
Hayward	Redondo Beach	Vista
Huntington Beach	Redwood City	Watsonville
Indian Wells	Richmond	Whittier
Industry	Riverside	Woodlake
Inglewood	Roseville	
Irvine	Sacramento	
Irwindale	Salinas	
King City	San Bernardino	
Kingsburg	San Diego	

Explanatory Note

This list is compilation of all the charter cities stating that each are or will be in compliance with the recently enacted legislation that becomes effective January 1, 2015.

Senate Bill 7 (Labor Code section 1782) is requires that “would authorize charter cities to receive or use state funding or financial assistance if the city has a local prevailing wage ordinance, applicable to all of its public works contracts, that includes requirements that are equal to or greater than the state’s prevailing wage requirements.”¹

¹ Labor Code section 1782 states: (a) “A charter city shall not receive or use state funding or financial assistance for a construction project if the city has a charter provision or ordinance that authorizes a contractor to not comply with the provisions of this article on any public works contract.

(b) A charter city shall not receive or use state funding or financial assistance for a construction project if the city has awarded, within the prior two years, a public works contract without requiring the contractor to comply with all of the provisions of this article. This subdivision shall not apply if the charter city’s failure to include the prevailing wage or apprenticeship requirement in a particular contract was inadvertent and contrary to a city charter provision or ordinance that otherwise requires compliance with this article.

(c) A charter city is not disqualified by subdivision (a) from receiving or using state funding or financial assistance for its construction projects if the charter city has a local prevailing wage ordinance for all its public works contracts that includes requirements that in all respects are equal to or greater than the requirements imposed by the provisions of this article and that do not authorize a contractor to not comply with this article.

(d) For purposes of this section, the following shall apply:

(1) A public works contract does not include contracts for projects of twenty-five thousand dollars (\$25,000) or less when the project is for construction work, or projects of fifteen thousand dollars (\$15,000) or less when the project is for alteration, demolition, repair, or maintenance work.

(2) A charter city includes any agency of a charter city and any entity controlled by a charter city whose contracts would be subject to this article.

(3) A “construction project” means a project that involves the award of a public works contract.

(4) State funding or financial assistance includes direct state funding, state loans and loan guarantees, state tax credits, and any other type of state financial support for a construction project. State funding or financial assistance does not include revenues that charter cities are entitled to receive without conditions under the California Constitution.

(e) The Director of Industrial Relations shall maintain a list of charter cities that may receive and use state funding or financial assistance for their construction projects.

(f) (1) This section does not restrict a charter city from receiving or using state funding or financial assistance that was awarded to the city prior to January 1, 2015, or from receiving or using state funding or financial assistance to complete a contract that was awarded prior to January 1, 2015.(2) A charter city is not disqualified by subdivision (b) from receiving or using state funding or financial assistance for its construction projects based on the city’s failure to require a contractor to comply with this article in performing a contract the city advertised for bid or awarded prior to January 1, 2015.”

Senate Bill 922 “provides, in part, that if a charter provision, initiative, or ordinance of a charter city prohibits, limits, or constrains in any way the governing board’s authority or discretion to adopt, require, or utilize a project labor agreement that includes specified taxpayer protection provisions for some or all of the construction projects to be awarded by the city, state funding or financial assistance may not be used to support any construction projects awarded by the city.”²

² Senate Bill 922 (Public Contracts Code Sections 2500, 2501, and 2502) state:

2500 (a) “A public entity may use, enter into, or require contractors to enter into, a project labor agreement for a construction project construction project only if the agreement includes all of the following taxpayer protection provisions:

(1) The agreement prohibits discrimination based on race, national origin, religion, sex, sexual orientation, political affiliation, or membership in a labor organization in hiring and dispatching workers for the project.

(2) The agreement permits all qualified contractors and subcontractors to bid for and be awarded work on the project without regard to whether they are otherwise parties to collective bargaining agreements.

(3) The agreement contains an agreed-upon protocol concerning drug testing for workers who will be employed on the project.

(4) The agreement contains guarantees against work stoppages, strikes, lockouts, and similar disruptions of the project.

(5) The agreement provides that disputes arising from the agreement shall be resolved by a neutral arbitrator.

(b) For purposes of this chapter, both of the following definitions apply:

(1) “Project labor agreement” means a prehire collective bargaining agreement that establishes terms and conditions of employment for a specific construction project or projects and is an agreement described in Section 158(f) of Title 29 of the United States Code.

(2) “Public entity” means a public entity as defined in Section 1100.

2501 The members of the governing board of a local public entity may choose by majority vote whether to use, enter into, or require contractors to enter into a project labor agreement that includes all the taxpayer protection provisions of Section 2500 for a specific project or projects awarded by that entity and whether to allocate funding to a specific project covered by such an agreement. A charter provision, initiative, or ordinance shall not prevent the governing board of a local public entity, other than a charter city, from exercising this authority on a project-specific basis.

2502. If a charter provision, initiative, or ordinance of a charter city prohibits the governing board’s consideration of a project labor agreement that includes all the taxpayer protection provisions of Section 2500 for a project to be awarded by the city, or prohibits the governing board from considering whether to allocate funds to a city-funded project covered by such an agreement, then state funding or financial assistance shall not be used to support that project. This section shall not be applicable until January 1, 2015, for charter cities in which a charter provision, initiative, or ordinance in effect prior to November 1, 2011, would disqualify a project from receiving state funding or financial assistance.”

Senate Bill 829 (Public Contracts Code section 2503) provides that the “bill would . . . provide that if a charter provision, initiative, or ordinance of a charter city prohibits, limits, or constrains in any way the governing board’s authority or discretion to adopt, require, or utilize a project labor agreement that includes specified taxpayer protection provisions for some or all of the construction projects to be awarded by the city, state funding or financial assistance may not be used to support any construction projects awarded by the city, as specified.”³

³ Public Contracts code section 2503 states: “If a charter provision, initiative, or ordinance of a charter city prohibits, limits, or constrains in any way the governing board’s authority or discretion to adopt, require, or utilize a project labor agreement that includes all the taxpayer protection provisions of Section 2500 for some or all of the construction projects to be awarded by the city, then state funding or financial assistance shall not be used to support any construction projects awarded by the city. This section shall not be applicable until January 1, 2015, for charter cities in which a charter provision, initiative, or ordinance in effect prior to November 1, 2011, would disqualify a construction project from receiving state funding.”