

EXHIBIT A TO RESOLUTION NO. \_\_\_\_\_

**~~Ballot Question and Ordinance Re:~~ Repeal and Replacement of Chula Vista Municipal Code Chapter 2.59 to Preserve State Funding for Chula Vista Infrastructure**

**Ballot Question**

~~Shall the measure to preserve the City's ability to receive state infrastructure funding for public works projects by directing the City Council to replace Chapter 2.59 with policies and procedures that give the City discretion to allow the use of project labor agreements for City public works in a manner consistent with state laws and best practices, including provisions for taxpayer protections, transparency, accountability, and compliance in the contracting process, be adopted?~~

**Ordinance**

The ~~P~~people of the City of Chula Vista do ordain as follows:

Section 1. Repeal. Existing Chapter 2.59 of the Chula Vista Municipal Code is hereby repealed and replaced as provided in Section 2, below.

Section 2. Replacement. The City Council of the City of Chula Vista shall, within 180 days of the effective date of this ordinance, ~~adopt~~ consider and take action upon local policies and procedures that allow City's use of project labor agreements ("PLAs"), and related provisions commonly associated with PLAs, in public works contracting. The policies and procedures ~~adopted~~ acted upon pursuant to this section (the "PLA Policies") shall include (a) all of the taxpayer protection provisions required by California Public Contract Code section 2500; (b) such other provisions as may be necessary to be consistent with applicable state law; (c) provisions for transparency and ~~—~~accountability ~~and compliance~~ in the contracting process; and (d) such other provisions as may be approved by the City Council consistent with state law and "best practices" as determined by the City Council.

Section 3. Application of State Law Pending Replacement. Until such time as the PLA Policies are adopted, the City shall comply with the provisions of California Public Contract Code sections 2500, *et seq.*

Section 4. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby. Such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the City of Chula Vista hereby declare that they would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof and intend that the invalid portions should be severed and the balance of the Ordinance be enforced.

Section 5. Certification. Upon approval by the voters, the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause it to be published according to law.