

RESOLUTION NO. 2014- 03

A Resolution to Provide for Project Labor Agreements in Certain Construction Projects Receiving Economic Incentives from the City of Hobart

WHEREAS, the Common Council (“Council”) of the City of Hobart, Indiana (“City”) previously adopted Resolution 99-79 which, in part, allowed the Council to require “clawback” agreements between the City and the recipient of industrial and commercial real property tax abatement or personal property tax abatement, such agreement to be executed prior to the Council's final action on tax abatement approval and containing terms and conditions under which the City may recover from the recipient any real property and personal property taxes which were abated during the tax abatement deduction period; and

WHEREAS, the Council subsequently adopted Ordinance No. 2003-11 which requires Project Labor Agreements for all public works construction, alteration and repair projects on City-owned property; and

WHEREAS, the Council has determined that it is in the best interest of the City’s economic health and welfare to allow for the execution of Project Labor Agreements for certain new construction projects performed on property granted tax abatements; and

WHEREAS, the Council desires to declare the policy of the City to allow for such agreements under the circumstances outlined below, and to make such policy effective through this Resolution.

THEREFORE, BE IT RESOLVED by the Common Council of the City of Hobart, Indiana as follows:

SECTION ONE: Commencing with projects described in Section Five below, the Common Council may require the execution of a Project Labor Agreement (PLA) between the recipient of industrial and commercial real property tax abatement or personal property tax abatement and applicable labor organizations as determined by the Council. If required by the Council, the PLA shall be executed after final Council action on tax abatement approval. The requirement for execution of a PLA will be noted under item “G” (“Other limitations or conditions (specify)”) of page two of State Form SB-1 (Statement of Benefits Personal Property or Statement of Benefits Real Estate Improvements).

SECTION TWO: In determining whether to require a PLA in each case, the Council will consider, among any other factors it deems relevant, whether a PLA would be helpful in assuring an adequate supply of skilled labor for the project, whether a PLA will likely avoid the effects of work stoppages due to imminent labor organization negotiations and job actions, whether the PLA is necessary in view of a recipient’s prior history of cooperation with the City or

labor organizations, and whether a PLA will have a positive or negative effect on the economic viability of the project. The Council may exempt certain trades from a required PLA in its sound discretion.

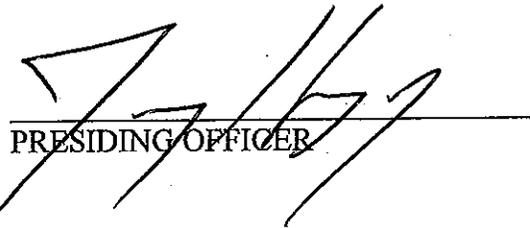
SECTION THREE: The Council shall direct the Clerk-Treasurer to give reasonable written or e-mailed notice of the public hearing on a pending real or personal property tax abatement for industrial and commercial applications to the Northwest Indiana Building and Construction Trades Council.

SECTION FOUR: For those projects in which the Council has required the execution of a PLA, the Building Commissioner of the City shall not issue any building permit for the project unless a copy of the executed PLA is attached to and made a part of the permit application.

SECTION FIVE: The policy declared herein shall apply to all projects for which an abatement application has not yet been filed as of the date of this Resolution's adoption.

SECTION SIX: Nothing in this Resolution shall be interpreted as amending and repealing any provision of Resolution 99-79 or of Ordinance Number 2003-11. All other resolutions in effect prior to the effective date and in conflict with the provisions of this Resolution are hereby repealed.

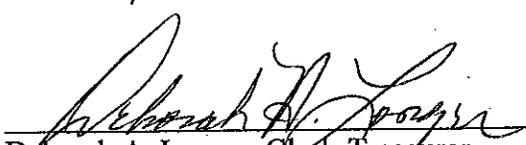
ALL OF WHICH is ADOPTED as the resolution of the Common Council of the City of Hobart, Indiana on this 19th day of March, 2014.



PRESIDING OFFICER

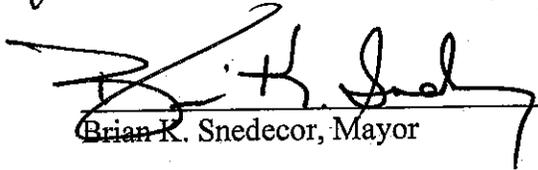
ATTEST: 
DEBORAH A. LONGER, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart on the 19th day of March, 2014 at the hour of 7:30 pm.


Deborah A. Longer, Clerk-Treasurer

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APPROVED, EXECUTED and RETURNED by me to the Common Council of
the City of Hobart on this 20th day of MARCH, 2014



Brian K. Snedecor, Mayor

ATTEST: 

Deborah A. Longer, Clerk-Treasurer