

ORDINANCE NO. ()

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING SONOMA COUNTY CODE CHAPTER 2, ARTICLE XXVI – LIVING WAGE, THE COUNTY’S LIVING WAGE ORDINANCE

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

Section I. Purpose. The purpose of this Ordinance is to amend the County of Sonoma’s existing Living Wage Ordinance (LWO), codified at Sonoma County Code Chapter 2, Article XXVI – Living Wage. The amendments are to add new provisions and requirements to the LWO, to expand the applicability of the LWO to certain users of County property and others with whom the County has contractual relationships with, clarify and add exemptions to existing LWO provisions and criteria, make changes to conform existing provisions to the amendments, repeal Sonoma County Code section 2-389, and make certain non-substantive clerical edits.

Section II. Findings. In enacting this Ordinance the Board of Supervisors makes the following findings:

- (a) The County of Sonoma has long set as a priority the development of a systematic approach to addressing income inequality and poverty in Sonoma County. Additionally, the County awards many contracts to private sector employers to provide valuable services to the County, and the County has an inherent interest in obtaining timely, quality, sustainable services from those contractors with whom it contracts;
- (b) Payment of a living wage and provision of other employee benefits serves to address income inequality, poverty, and worker retention and reliability in rendering services and conducting operations;
- (c) In 2015, the County enacted Ordinance No. 6139, the Sonoma County Living Wage Ordinance (LWO), to require payment of a living wage and provision of other employee benefits on certain County contracts and assistance arrangements;
- (d) Due to extreme economic circumstances since enactment of the LWO, including the Covid-19 pandemic and pervasive inflation, the costs of living in Sonoma County and the surrounding Bay Area have dramatically increased, above what was already a high local cost of living. Moreover, public and worker safety considerations require that workers on County contracts and in conducting operations and business on County properties remain healthy and, if sick, be able to take leave and not be sick at the workplace if at all possible;

- (e) Paid time off and other employee benefits and protections serve to promote workforce stability, worker performance, and the quality of services delivered to the County and its population, while mitigating employee absenteeism and workplace and public health risks;
- (f) The County enters into a variety of leases, licenses, concessions, and other agreements with businesses and other entities who, through their own volition, conduct public events or important operations at or from County real property locations. Extending the LWO to apply to such entities serves the purposes of the LWO and expands the LWO to reach additional employees and locations that are in service to important public activities, events, and operations;
- (g) Both the expenditure of public funds for the provision of services and the use of County locations for events and operations are conducted most responsibly when done in a way that serves the goals and purposes of the LWO and promotes the advantages to the County and public that are derived therefrom.

Section III. Amendment of Sonoma County Code. Article XXVI – Living Wage of Chapter 2 of the Sonoma County Code is hereby amended to read as set forth in Exhibit A, attached and incorporated by reference, which reflects an amended and restated version of that Article, including the repeal of Sonoma County Code section 2-389.

Section IV. Timing and Applicability. With regard to contracts and other arrangements already covered by the LWO prior to the effective date of this Ordinance, the provisions of this Ordinance shall apply. All other contracts and agreements shall comply with this Ordinance upon the earliest of their execution or, as to existing contracts and agreements, upon any mutually-agreed renewal, extension, or amendment, excepting any adjustment of terms pursuant to a formula or pre-set schedule, such as a Consumer Price Index.

Section V. Authority for Contract Amendments. As to any contract, agreement, or other arrangement subject to the LWO, the Board of Supervisors hereby delegates authority to all Department Heads, the Purchasing Agent, and the County Administrator, to each execute any needed amendments and other agreement instruments, in form approved by County Counsel, made necessary to implement the amended provisions of the LWO, any related contract price adjustments, or any contract price adjustments made necessary by any future adjustments of the required Living Wage rate, including to the extent any increased contract “not to exceed” amounts or payments for services exceed existing delegations or Board-approved amounts, and subject to availability of funds for any such increases.

Section VI. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section VII. Effective Date. This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in *The Press Democrat*, a newspaper of general circulation published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma, introduced on the 26th day of March, 2024, and finally passed and adopted this 4th day of June, 2024, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Gorin: Coursey: Gore: Hopkins: Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

WHEREUPON, the Chair declared the above and foregoing Ordinance duly adopted and

SO ORDERED.

Chair, Board of Supervisors
County of Sonoma

ATTEST:

M. Christina Rivera,
Clerk of the Board of Supervisors