



# Summary and Index of Community Benefit Agreements

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This Summary and Index of Community Benefit Agreements was prepared for a CBA Symposium held on May 10, 2011, entitled “Win-Win-Win: The Advantages of CBA’s for the Community, Developers, and You!” We gratefully acknowledge the work of Daniel J. LaSalle, who compiled research and wrote the CBA summaries in this document during his tenure with The Public Law Center. Mr. LaSalle also provided valuable assistance in organizing the CBA Symposium.

Copies of this document as well as other CBA resources can be found on the website for The Public Law Center: <http://www.law.tulane.edu/plc/>. See the link for “Services to the Community.”

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Thank you for taking an interest in community benefits agreements (CBAs). CBAs are legally enforceable contracts between a developer (i.e. a private business), the local government, and community organizations and residents.

This publication by The Public Law Center is meant to provide summaries of successfully implemented CBAs across the nation. This report is *not* meant to detail the nature and purpose of CBAs or discuss the pros and cons of CBAs. If you are interested in these topics, please see Appendix I and II at the end of this report.

However, we will provide some of the basics of CBAs below so that you may better understand the information presented in this report:

- 1) In order for a private business to begin a development in a city, the business must often receive zoning permission from the local government (usually a city council). More often than not, the developer wants more than just permission. Developers often request “public subsidies” or tax dollars (sometimes in the millions) to build roads, sewer lines, and other pieces of infrastructure to connect their project to other parts of the city.
- 2) Local governments frequently approve such agreements because they feel the developer will bring goods, services, and economic competition to the city (not to mention tax dollars collected from their revenues). However, community organizations, local nonprofits, and angry residents across dozens of cities each day are uniting, negotiating with developers, and asking for more “community benefits.”
- 3) A CBA requires the developer to provide the community with certain benefits, which could include donations to poor school districts, a promise to employ a certain amount of local and poor residents, the construction of affordable housing complexes, and many other benefits. In return, the community organizations and residents encourage the local government to approve the development process.

We hope that this report on successful CBAs will help demonstrate the value in CBAs, and how this growing movement of community camaraderie can transform your city.

For assistance with CBA's, contact The Public Law Center.

### Acknowledgements

This research was not possible without the information provided from: the Community Benefits Blogspot (<http://communitybenefits.blogspot.com/>), the Partnership for Working Families (<http://www.communitybenefits.org/>), the Los Angeles Alliance for a New Economy (<http://www.laane.org>), and Pittsburgh United and the One Hill CBA Coalition (<http://www.pittsburghunited.org/campaigns/one-hill>). Two vital publications providing the initial background for this research include 1) *Community Benefits Agreements: Making Development Projects Accountable* (2008) by Julian Gross, Greg LeRoy and Madeline Janis-Aparicio, and 2) "Community Benefit Agreements: New Vehicle for Investment in America's Neighborhoods," by David Marcello, published in the *Urban Lawyer* (2007). Also, special thanks to the insight and information provided by Dominic Moulden of One D.C., Melanie Majors of the Longfellow Community Council of Minneapolis, Hanifa G.N. Shabazz, Council Member for the 4<sup>th</sup> District of the City of Wilmington, Delaware, Kacy Keys, Vice President and General Counsel for JH Snyder Company, and Benjamin Beach of the Community Benefits Law Center.

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## Atlanta, GA: Beltline CBA

### **Background**

-CBA signed in November, 2005.

-Development involved the construction of a 22-mile light rail transit loop around the city of Atlanta to facilitate public transportation and reduce the sense of sprawl that plagues the outskirts of the city.

-Project costs totaled approximately \$28 million

-Community benefits include:

- Affordable housing
- Historic preservation of select sites and buildings
- Purchase and display of modern art
- First source hiring
- Apprenticeship and pre-apprenticeship programs for impoverished and uneducated residents residing near Beltline construction.

-The development received public subsidies through Tax Allocation Districts (TAD), which is essentially a derivative for calculating a proportion of local taxes that come from each resident's own tax payments. For example: instead of the local government directly allocating, say, \$1 million of tax money to a project, the government instead decides to take 50% of the taxes paid by each of the 2 million residents to come up with the same amount of money (assume here all 2 million residents pay the same in taxes, which is \$1).

### **Participation in the CBA**

#### Local government:

-Atlanta Development Authority – the official development agency for the City of Atlanta chaired by the mayor of Atlanta.

-Tax Allocation District Advisory Committee

-Beltline Affordable Housing Advisory Board

- Atlanta City Council

- The Atlanta Public School Board

-Fulton County Commission

Developer:

-Atlanta Beltline Inc.

Community group(s):

-Georgia STAND-UP

**Implementation of CBA**

-Both the local government and developer ran into some legal problems when beginning the project, because provisions of the CBA unintentionally required both parties to step outside their jurisdiction:

1. A Georgia Supreme Court decision ruled that school district tax funds could not be included in the TADs used to pay for the Beltline (*Woodhum v. City of Atlanta*). The local government responded by passing a referendum to amend the state constitution, declaring that funds from school district tax funds could be included in the TAD for the Beltline development. Many people were upset with the referendum, claiming that a corporation should never have access to tax-dollars intended for the school budget, even if the school budget approves of it.
2. The Beltline ran into some territorial and track-ownership disputes with the Georgia Department of Transportation and Amtrak. The Department of Transportation and Amtrak wanted the railroad line/tracks to connect Atlanta to New York and New Orleans, instead of forming a loop around the city. The Department and Amtrak eventually withdrew their complaints due to immense public protest.

**Available Copy of the CBA:**

NONE

## Denver, CO: Gates-Cherokee CBA

### **Background**

-CBA was to be signed on June 11, 2003, but the project took a 3 year hiatus over disagreements about the CBA. The project officially began (with the CBA taking effect) in 2006.

-The Cherokee company purchased eight-million square feet of land a dilapidated Gates Rubber factory. Cherokee planned to demolish the factory and then construct residential and retail centers across their property.

-Without the aid of the local government, a coalition of community and labor groups organized and demanded community benefits from the Cherokee Company.

-Community benefits include:

- Affordable housing
- Living wages for construction jobs
- First-source hiring
- Prohibition on big-box stores entering into the area.

-Cherokee received \$126 million in city subsidies (tax dollars) to aid the construction of the development.

### **Participation in the CBA**

#### Local Government:

-City of Denver

#### Developer:

-Cherokee, Inc. and Gates Rubber (the latter was only involved in helping Cherokee acquire the land)

#### Community Organization (s):

-Colorado ACORN

-The Front Range Economic Strategy Center

-The Denver Area Labor Federation

-United Food and Commercial Workers

-Service Employees International Union

-Colorado Jobs with Justice

many more

### **Implementation of the CBA**

Negotiations took many months, and the agreement was set to be signed on June 11, 2003. But, negotiations over certain community benefits resulted in serious conflict among the parties. The project took a 3 year hiatus, with many thinking the disgruntled party representatives would abandon the project all together. In 2006 negotiations resumed and the CBA was signed months later. The development and community benefits were produced on schedule.

### **Available Copy of the CBA:**

<http://communitybenefits.blogspot.com/2008/01/gates-cherokee-redevelopment-cba.html>

(Scroll to the end of the blog article right before the first blog post and click on the hyperlink.)

## Hollywood, CA: Hollywood and Highland CBA

### **Background**

- CBA negotiations occurred May 1999, and signed several months later.
- One of the first CBAs in American history.
- CBA included labor organizing commitments, which is considered one of the most challenging community benefits a CBA could include, because it requires the presence of strong labor unions in the negotiations.
- Development created the Hollywood and Highland Center (home to the Oscar award ceremonies), which includes: a large theater, parking lots, hotels, and over 1 million square feet of retail space. The development provoked concerns among the local residents about an increase in traffic, congestion, pollution, and crime.
- The developer received \$90 million in subsidies (tax-payer money) from the city.
- community benefits include:
  - Affordable housing
  - 70% first source hiring rate in construction and retail jobs
  - Job training programs for construction work jobs
  - Living wage

### **Participation in CBA**

#### Local Government:

- City of Los Angeles

#### Developer:

- Trizec Properties

#### Community Organization:

- Los Angeles Alliance for a New Economy (LAANE)

### **Implementation of CBA**

Considered highly successful. All promised community developments have been provided.

**Available Copy of the CBA:**

NONE

## Hollywood, CA: Hollywood & Vine CBA

### **Background**

-Signed June 17, 2004

-The development encompassed 4.6 acres and cost over \$326 million.

-The development included a W Hotel, 500 residential housing units, retail space, and parking.

-Community benefits include:

- Living wage for construction, hotel, security, and parking employees
- First source hiring
- 20% of residential units set aside for “affordable housing” (70 of the 350 apartments)
- \$100,000 donation for a job training programs in the culinary industry
- \$500,000 donation for the arts programs at Hollywood High School
- A healthcare program for employees

### **Participation in the CBA**

#### Local Government:

-Community Redevelopment Agency of the City of Los Angeles

-Los Angeles County Metropolitan Transportation Authority

#### Developers:

-Legacy Partners

-Gatehouse Capital

#### Community Organization(s):

-Los Angeles Alliance for a New Economy (LAANE) – main community organization in the coalition

### **Implementation of the CBA**

The local government and the community organizations (especially LAANE) praised the developer’s speed and efficiency when providing the community benefits.

**Available Copy of the CBA:**

<http://www.communitybenefits.org/>

## Hollywood, CA: NoHo Commons CBA

### **Background**

-CBA signed in November, 2001.

-The developer sought to develop residential, retail, and office space. The developer was awarded \$44 million in city subsidies (relatively little considering the project's size).

-Community benefits include:

- Centralized food market (heavily desired by residents for years)
- Child care center
- A new public school outside downtown Hollywood
- First source hiring
- Funding for a job training program
- Living wage provided for no less than 75% of new employees hired for the new businesses in the development

### **Participation in CBA**

#### Local Government:

-Community Redevelopment Agency of the City of Los Angeles

#### Developer:

-J.H. Snyder Co.

#### Community Organization:

-Los Angeles Alliance for a New Economy (LAANE)

### **Implementation of CBA**

Has been widely regarded as a paragon of CBAs. In fact, the success and smooth implementation of this CBA have inspired considerable dialogue among nonprofits, local residents, and the local government to consider additional CBAs in Hollywood and across California.

### **Available Copy of the CBA:**

<http://www.communitybenefits.org/downloads/NoHo%20CBA.pdf>

## Los Angeles, CA: Grand Avenue Community Benefits Package

### **Background**

- CBA signed on February 13, 2007
- The development consists of 3.6 million square feet and cost approximately \$2 billion.
- The development includes: entertainment facilities, a hotel, restaurants, 400,000 square feet of retail space, 532 units of residential housing complexes, and parking areas.
- The developer received \$95 million in public subsidies
- Development project expected to be completed by 2018
- The development created 29,000 construction jobs and 6,000 permanent jobs
- Community benefits include:
  - Affordable housing available in 20% of the planned residential complexes
  - \$1.5 million in no-interest loans available to nonprofits seeking to increase affordable housing in the downtown area
  - \$50 million donation to construct a new public park
  - Streetscape improvements to increase the number of trees, public benches, trash cans, and newly paved roads.
  - 25% minority-owned contracting requirement
  - 30% local hiring requirement for construction and permanent jobs,
  - Living wage requirement for all construction jobs and those employed by businesses this developer has leased to or contracted with.
  - \$1 million donation to support job training programs
  - Funding of public art

### **Participation in CBA**

### Local Government

-Los Angeles Grand Avenue Authority – made up of the Community Redevelopment Agency (CRA) and the county.

### Developer

-The Related Companies (same Developer as the Bronx Terminal CBA)

### Community Organizations:

-Strategic Actions for a Just Economy (SAJE)

-Los Angeles Community Action Network

-Concerned Citizens of South Central

-Community Development Technologies

-Legal Aid Foundation of Los Angeles

### **Implementation of CBA**

-The CBA has been running smoothly and all possible CBAs that were expected to be provided at this time have been.

### **Available Copy of the CBA:**

NONE

## Los Angeles, CA: Staples Center CBA

### **Background**

-CBA signed on May 29, 2001

-The developer planned to construct a new arena for the L.A. Lakers, parking lots, two apartment complexes, and 250,000 square feet of retail space.

-The downtown L.A. community was outraged, thinking that the arena would prevent an easy commute across the city, while increasing crime.

-Community benefits include:

- \$1 million for the creation and improvement of parks and recreational facilities
- \$25,000 per year for a term of five years for the creation of a residential parking permit program
- Living wages for 70% of the jobs created from the development
- Job training program and a local and hiring program
- Affordable housing available in 20% of the planned residential complexes
- Stipulation that \$650,000 be provided in interest-free loans to nonprofits

### **Participation in CBA**

#### Local Government:

-City of Los Angeles

#### Developer:

-L.A. Live

#### Community Organizations:

-Los Angeles Alliance for a New Economy (LAANE)

-Figueroa Corridor Coalition for Economic Justice

-Strategic Action for a Just Economy (SAJE)

### **Implementation of CBA**

-Often regarded as the premier CBA due to its success and the ease of the negotiations.

**Available Copy of the CBA:**

<http://www.communitybenefits.org/downloads/NoHo%20CBA.pdf>

## Minneapolis, MN: Minneapolis Digital Inclusion CBA

### **Background**

- CBA signed in June 2006
- Community groups and residents had, for years, been advocating for a city-wide wi-fi network that is more accessible to low income residents.
- Less than 42% of households in the city can access the internet easily and 27% households lack internet access entirely.
- Less than 57% of blacks, 40% of residents without high school diplomas, and 37% of Latinos have internet access.
- Community benefits include:
  - Free internet access and necessary computer hardware for low-income residents.
  - Free or partially subsidized internet access to public libraries, parks, non-profits, and schools.
  - Donation of \$75,000 annually to the AmeriCorps Community Technology Empowerment program to help teach internet and computer skills to the impoverished and disadvantaged.
- Microsoft has come out in support of this decision, even though they are in no way involved in the project.

### **Participation**

#### Local Government

- City of Minneapolis

#### Developer

- Wireless Minneapolis Vendor

#### Community Organizations

- Urban Hope Ministries, Inc.
- Administrative Coordinator
- Phyllis Wheatley Community Center

- West Bank Community Coalition
- St. Paul E-Democracy
- Pillsbury United Community Center
- Standish-Ericsson Neighborhood Association
- West Bank Community Coalition
- Project for Pride in Living
- Training for Technology
- Salo IT Solutions, Inc.
- Greater Twin Cities Unitedway
- Franklin Library

**Implementation:**

The CBA is a success, with the promised community benefits delivered.

**Available Copy of the CBA:**

NONE

## New Haven, CN: Yale-New Haven CBA

### **Background**

-CBA signed on June 6, 2006

-The development was a new cancer research center in New Haven, Connecticut.

- A coalition of nonprofits known as the Community Organized for Responsible Development began to pressure the developer to enter into a CBA to help develop the surrounding neighborhoods.

-Community benefits include:

- Affordable housing
- Job training and local hiring
- Traffic and parking policies during construction
- Guaranteed union organizing rights
- Adherence to green environmental practices.
- Funding for an outreach program to provide medical care to uninsured children and children suffering from asthma

### **Participation in CBA**

#### Local Government:

-The City of New Haven

#### Community organizations

-20+ organizations

#### Developer

-Yale-New Haven, Hospital, Inc.

### **Implementation of CBA**

- This CBA did not run entirely smoothly: money from the developer came 9 months late, and fulfillment of the local hiring requirement took over a year to actually occur.

### **Available Copy of the CBA:**

NONE

## New York, NY: The Gateway Center at Bronx Terminal Market CBA

### **Background**

-CBA signed February 1, 2006

-The Bronx Terminal Market provided space for local vendors and small businesses for many years. However, this area was in immense disrepair and could arguably be considered blight.

-The developer purchased 1 million square feet of retail space in the area to create a hotel.

-Community benefits include:

- A new public park
- Subcontracting agreement for local businesses
- Creation of 18,000 square feet of rentable retail space reserved for existing small businesses
- Local hiring
- Job training
- Commitment to make “reasonable efforts” to employ union labor
- Agreement not to lease space to a Wal-Mart.

### **Participation in the CBA**

#### Local Government:

-Bronx City Government:

- + Economic Development Corporation
- + Bronx Overall Development Corporation

#### Developer:

-The Related Companies

#### Community Organizations:

-House Communities

-Movement Hope House

## **Implementation of CBA**

As soon as the CBA went into effect, the construction and community benefits were soon to follow. All guaranteed community benefits were met. In fact, 75% of jobs were awarded to Bronx residents, and 40% of contracts went to Bronx-based businesses (exceeding the requirement in the CBA).

However, some difficulties with the negotiation process did occur. The Economic Development Corporation principally organized and negotiated the CBA, leaving most of the community organizations in the dark. This imbalance of input and involvement among the community side of the negotiations caused 4 of the 7 community organizations to refuse to sign the CBA (the CBA did not need those 4 signatures to pass).

### **Available Copy of the CBA:**

NONE

## New York, NY: Atlantic Yards CBA

### **Background**

-CBA signed June 27, 2009

-New York's first CBA, which was based of Los Angeles' Staples Center CBA.

-The development includes the multi-billion Atlantic Yards Arena (home to the New Jersey Nets), moderate to high income residential high-rises, and office complexes.

-Community benefits include:

- Affordable-housing
- Living wage
- First source hiring
- New child care center

-This CBA is widely viewed as the result of developer manipulation and community coalition dismemberment. Many of the community groups were weak and some were designed solely as a façade to negotiate the CBA without pressuring the developer too heavily. One community group even received a \$5 million donation from the developer to oppose some of the provisions of the CBA, which some have considered undeniable corruption.

### **Participation in the CBA**

#### Local Government:

-Brooklyn

#### Developer(s):

-Atlantic Yards Development Co. LLC

-Brooklyn Arena LLC

#### Community Organization(s):

-All-Faith Council of Brooklyn

-Association of Community Organizations for Reform Now

-Brooklyn United for innovative Local Development

- Downtown Brooklyn Neighborhood
- Downtown Brooklyn Educational Consortium
- First Atlantic Terminal Housing Committee
- New York State Association of Minority Contractors
- New York State Association of Minority Contractors
- Public Housing Communities (PHC)

### **Implementation of the CBA**

-Delays in the construction of the arena due to lawsuits have occurred, which delayed the implementation of the community benefits.

### **Available Copy of the CBA:**

<http://www.scribd.com/doc/31432536/Atlantic-Yards-Community-Benefits-Agreement-CBA>

## New York, NY: Columbia Expansion CBA

### **Background**

-CBA signed on December 1, 2008

-The CBA was proposed by the developer (which does occasionally occur) to build good relations with the surrounding residents.

-The development was an expansion of Columbia University into West Harlem creating 16-18 new buildings estimated at \$6 billion.

-Community benefits include:

- \$30 million for a university-run public school

- \$20 million for affordable housing complexes,

- \$44 million for legal aid to impoverished residents,

- \$76 million fund for miscellaneous community benefits to be decided by the community over the next 12 years.

-Many consider the CBA a success, but others think the agreement was drawn up too hastily, providing fewer community benefits than desired.

### **Participation in CBA**

#### Local Government:

-County Board

-City Planning commission and City Council

#### Developer:

-Columbia University

#### Community Organization(s):

-County Board 9' Local Development Corporation (LDC), which was created exclusively to oversee and approve the Columbia Expansion CBA. This organization played the traditional role of community organizations in CBA process, but only differed in that the LDC contained a few voting members who were elected officials.

### **Implementation of CBA**

So far, the CBA has been working effectively with community benefits provided on time. The Local Development Corporation, created by NYC for the purpose of the CBA with Columbia, did, however, turn out to be a bit cumbersome. Some of the appointments were corrupt and had personal financial interest in Columbia's expansion.

**Available Copy of the CBA:**

NONE

## Pittsburgh, PA: One Hill CBA

### **Background**

-Signed in August, 2008

-This was Pittsburgh's first CBA, and had immense support across the community, local government, and even the mayor's office.

-The CBA took about a year to negotiate, and the negotiations were said to be very contentious at times. However, all parties continue to express approval of the entire process.

-Developer sought the construction of a new Pittsburgh Penguins (hockey team) Arena.

-Community benefits include:

- \$2 million donation for the creation of a large grocery store, which has been lacking in the Hill District area for years
- Card check agreement, which prohibits developer interference with how the workers choose union representation.
- Creation of a multi-purpose center for youth, families, and seniors with reduced/no fee membership for low-income residents
- First source hiring for construction jobs and all those employed by businesses contracted or leased with the Penguin's Arena
- Construction of a first source employment center
- Creation of the "Neighborhood Partnership Program," which provides up to \$6 million to support economic development, drug treatment and mental health services, and youth program.
- Outreach for minority contractors.
- Requirement that all jobs connected to the development will abide by the wage standards for each designated industry (ranging from \$12 - \$30 per hour) and include health benefits.

### **Participation in CBA**

Local Government:

-City of Pittsburgh

- Sports and Exhibition Authority of Pittsburgh
- Sports and Exhibition Authority of Allegheny County
- The County of Allegheny
- The Urban Redevelopment Authority of Pittsburgh
- Stadium Authority Board

Developer:

- Pittsburgh Penguins

Community Organization:

One Hill CBA Coalition:

- Pittsburgh UNITED
- Find the Rivers Coalition
- Uptown Community Partners
- Hill District Consensus Group
- Central Outreach Center
- Coalition of Black Trade Unionists
- Hill/Oakland Job Links
- Uptown Residents Blockworth
- Mon Valley Unemployed Committee
- One Vision One Life
- NAACP

**Implementation of CBA**

-The implementation of the CBA ran smoothly and according to the timeline. The One Hill CBA is revered as a model for Pittsburgh and other cities, and, consequently, has inspired other CBA initiatives across Pittsburgh.

**Available Copy of the CBA:**

NONE

## Philadelphia, PA: Sugar House CBA

### **Background**

-CBA signed January, 2008

-Many citizens and local government representatives (including the mayor) had criticized the project on a “moral” level that gambling is bad. The CBA was actually proposed by the developer to quell growing protests among residents that the development centered around a gambling casino.

-Developer came into Philadelphia hoping to take advantage of tourism and new pro-gaming laws.

-The local government was very much torn over the decision to allow the developer to construct a casino. In fact, the local government was dragging their feet so much that the Pennsylvania Supreme Court had to step in. They ruled that the City Council’s failure to act on its zoning and land use requests made by SugarHouse constituted “deliberate inaction.” Thus, the local government had to grant SugarHouse its requests. Mayor Nutter even attempted to revoke SugarHouse’s license, preventing the development from beginning construction, but again the Pennsylvania Supreme Court intervened and criticized the actions of the mayor and local government.

-Community benefits include:

- First source hiring

- Neutrality agreements for union practices,

- Union jobs for the first phase of construction,

- Hotline for residents to call at any time to address their complaints about construction

- \$67 million donation to the city over the next 12 years

- A public waterfront promenade, funding for job counseling services, and donations to Philadelphia’s public transportation system.

### **Participation in CBA**

#### Local Government:

- City of Philadelphia, including the mayor’s office

- Special Services District, PA

Developer:

-SugarHouse Casinos

Community Organization:

-Fishtown Action (FACT)

-New Kensington Community Development Corporation

**Implementation of CBA**

Some believe that Fishtown Action (FACT) was too supportive of SugarHouse interests, while others' contend that NKCDC was too demanding. The developer did, though, provide all community benefits agreed to

**Available Copy of the CBA:**

NONE

## San Diego, CA: Ballpark Village

### **Background**

-CBA signed September 20, 2005

-Developer planned to construct a seven-acre project with 3.2 million square feet of offices, residence apartments, and retail spaces/complexes for the Ballpark Village in San Diego. Over 27 housing, labor, community, environmental, and religious groups helped negotiate the CBA.

-Community benefits include:

- Green building standards for constructed buildings,
- “Bird-friendly” non-reflective windows,
- Greater pollution standards
- Local hiring,
- \$1.5 million funding for a job training programs for community residents
- Promise to attract a grocery store to the development
- Living wage

### **Participation in the CBA**

Local Government:

-City of San Diego

Developer:

-JMIR-Ballpark Village LLC

Community Organization(s):

-Center on Policy Initiatives

-The San Diego Organizing Project

-The San Diego Audubon Society

30+ others

### **Implementation of the CBA**

The implementation of the CBA was widely revered as a success. Even the negotiations have been acknowledged as going relatively smooth, despite a small discrepancy about where to put affordable housing units.

**Available Copy of the CBA:**

<http://www.communitybenefits.org/downloads/Ballpark%20Village%20CBA.pdf>

## San Francisco, CA: Bayview-Hunters Point CBA

### **Background**

-CBA signed in May 2008

-Community benefits include:

- 32% of constructed residential units reserved for affordable housing
- \$8.5 million for a job training program for local residents
- First source hiring
- Promise to “ensure labor peace in key industries within the project.”

### **Participation in the CBA**

#### Local Government:

-City of San Francisco

#### Developer:

-Lennar

#### Community Organization(s):

-San Francisco Labor Council

-Association of Community Organizations for Reform Now (ACORN)

-San Francisco Organizing Project

### **Implementation of the CBA**

After the CBA was signed, the community benefits were slow to come. Lennar Inc. deliberately dragged their feet.

### **Available Copy of the CBA:**

<http://www.communitybenefits.org/downloads/Bayview%20Hunters%20Point%20CBA.pdf>

## Washington, D.C.: Shaw District CBA

### **Background**

-This is Washington D.C.'s first attempt at a CBA, and it proved very successful. It is also a relatively small CBA dealing with 20,000 square feet of purchased land for retail development.

-Pursued primarily for the construction of affordable housing and the abatement of blight.

-Community benefits include:

- Affordable housing (125 units)
- Job training program,
- \$1,500 square feet of retail space reserved for small community businesses
- First source hiring.

-The strongest support for the CBA came from the community members themselves. Many CBAs draw their most support from community organizations, which represent the interests of poor residents. However, the momentum for this CBA came primarily from residents who organized themselves.

-Relatively low number of nonprofits involved in the community coalition

### **Participation in CBA**

#### Local Government:

-Washington, D.C.

#### Developer:

-Four Points

-Ellis Enterprises

#### Community Organizations:

-One DC's Equitable Development Initiative

-Broadcast Centers Project

### **Implementation of CBA**

-The development project just began in February 2011, after the project's construction was delayed for 8 years. The first round of community benefits are expected to take shape in the next year. The citizens and community organizations are very optimistic. One DC has commented that the weakest part of the CBA is the monitoring and enforcement provisions, which gives the developer over 2 months to correct any failures to provide community benefits.

**Available Copy of the CBA:**

NONE

## Wilmington, DE: Peninsula Compost Company CBA

### **Background**

-CBA signed on Feb 28, 2008

-The development project was small, involving the construction of a 20,000 square foot organic waste composting facility on a 25 acre site.

-The project created about 30 construction jobs and approximately 12 other fulltime jobs.

- Community benefits include:

- 20% local hiring requirement
- 20% minority hiring requirement
- Creation of a 24-hour community hotline for residents to file complaints against any element of the construction process
- Ban on construction trucks using local residential roads
- Funding for a job training program
- Requirement to employ only *local* contractors
- Neighborhood parking lot.

### **Participation in CBA**

#### Local Government:

-City of Wilmington (Southbridge/Neighborhood House Association and Zoning Board of Adjustment)

#### Developer:

-Peninsula Compost Company

#### Community Organization:

-Southbridge Civic Association

-Neighborhood House Inc.

-Henrietta Johnson Medical Center

- Mt. Joy United Methodist Church
- New Calvary Baptist Church
- Martin Luther King Center
- International Longshoreman Association
- Labor Union Local 199
- Wilmington Housing Authority
- Southbridge Residence Council
- Be Ready CDC
- New Millennium CDC
- Global Solutions

### **Implementation of CBA**

-An article published in *BioCycle* reported that approximately a year after the CBA was signed, it was reported a success by the community. Local government officials, the developer, community organizations, and community citizens continue to speak highly of the CBA. Given the acclaim the project has received across the city, the developer uses its website to continually boast of its role in this community-enhancing project.

### **Available Copy of the CBA:**

[https://docs.google.com/Doc?id=dg97n44w\\_0gtm6vt77](https://docs.google.com/Doc?id=dg97n44w_0gtm6vt77)

## Appendix I: Voided CBAs due to bankruptcy or financial trouble of the developer

All of the following CBAs have been revered for both the community benefits provided in the agreement, and the resilience, the community organizations and residents brought to the negotiations. These CBAs, however, became null and void after the developer canceled the project due to financial trouble and in some cases, bankruptcy.

- 1) Marlton Square CBA in Hollywood, California
- 2) Oak to Ninth CBA in Oakland, California
- 3) SunQuest Industrial Park in Los Angeles, California
- 4) Longfellow Station CBA in Minneapolis, MN
- 5) Dearborn Street CBA in Seattle Washington

If you would like summaries of the CBA process, an actual copy of the CBA, or a list of organizations that helped negotiate these would-be successful agreements, visit <http://communitybenefits.blogspot.com/> or <http://www.communitybenefits.org/section.php?id=155#cbaslist>

## Appendix II: CBAs that Weren't Quite CBAs

All of the following “CBAs” lacked one of the four pillars that comprise the traditional community benefits agreement: 1) The local government, 2) the private developer, 3) community organizations and organized residents, and 4) a legally binding and enforceable contract stipulating the community benefits and other agreements among all the parties. Although the following agreements did bring about community benefits, we have not included these in our report because they lacked one of the three pillars.

Name of the Agreement	City	Missing Pillar	Description
LAX CBA	Los Angeles, CA	Private Developer	The LAX Airport was <i>not</i> a development brought by a private business, but instead a subsidiary of the city government, Los Angeles World Airports (LAWA)
Milwaukee Park East Redevelopment CBA	Milwaukee, MN	Legal Contract	This CBA was enacted via legislation, and not a legal contract. Consequently, community organizations and residents had decreased involvement in the negotiations over the community benefits, as that issue was left primarily to the legislators

Yankee Stadium CBA	New York, NY	Community Organizations and Residents	Community organizations and residents did <i>not</i> have any say in the development nor a the resulting community benefits
Chevron CBA	Richmond, VA	Community Organizations and Residents	Community organizations and residents did <i>not</i> have any say in the development nor a the resulting community benefits

### Appendix III: Information on the Basics of CBAs

<http://www.law.tulane.edu/plc/>

[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1131670](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1131670)

[http://en.wikipedia.org/wiki/Community\\_Benefits\\_Agreement](http://en.wikipedia.org/wiki/Community_Benefits_Agreement)

<http://www.communitybenefits.org/article.php?list=type&type=145>

<http://www.communitybenefits.org/downloads/CBA%20Handbook%202005%20final.pdf>

<http://www.communitybenefits.org/downloads/CBs%20for%20Developers.pdf>

[http://www.nytimes.com/2006/03/22/nyregion/22bronx.html?\\_r=2&oref=slogin](http://www.nytimes.com/2006/03/22/nyregion/22bronx.html?_r=2&oref=slogin)

<http://www.nycbar.org/pdf/report/uploads/20071844-TheRoleofCommunityBenefitAgreementsinNYCLandUseProcess.pdf>

<http://communitybenefits.blogspot.com/>

## Appendix IV: CBAs in the Works

### Minneapolis, MN: Harrison Neighborhood CBA (PREEMPTIVE)

#### **Background**

-CBA negotiations are ongoing with various businesses looking to move into the Harrison neighborhood

-There is no specific development underway, nor a particular developer this CBA seeks to include. The CBA negotiations are among the community organizations as they look to set a strict list of community benefits they will demand of any developer wishing to move into the area.

-Residents of the Harrison neighborhood are growing increasingly concerned with the plight of minorities and low-income individuals within this area of Minneapolis. Thirty-eight percent of residents are African American, 30% are Southeast Asian, and 20% are Caucasian. The median annual income of all resident is less than \$22,000.

-Desired community benefits are directed toward racial and economic equity, which may include:

- Employment opportunities for those released from prison
- Donations to local schools
- First source hiring for local residents
- Employment quotas for low-income and minority individuals.
- Adherence to strict environmental standards
- Living wages
- Affordable housing for both rent and ownership

#### **Participation in CBA**

##### Local Government:

-City of Minneapolis

##### Developer:

Any new business looking to begin a development

Community Organization:

-Harrison Neighborhood Association and the Bryn Mawr Neighborhood Association

**Implementation of CBA**

HAS NOT OCCURRED YET