



Community Benefits Agreements Frequently Asked Questions: *Presented by Partnership for Working Families*

What is a CBA?

A Community Benefits Agreement (CBA) is a project-specific agreement between a developer and a broad community coalition that details the project's contributions to the community and ensures community support for the project. Addressing a range of community issues, properly structured CBAs are legally binding and directly enforceable by the signatories. CBAs allow a win-win approach to development: meaningful, up-front communication between the developer and a broad community coalition decreases developers' risk while maximizing the positive impact of development on local residents and economies. The developer benefits from active community support of the project, and community members gain when the project responds to their needs.

The first CBAs came into existence during late 1990s. They were developed as a way to not necessarily stop development, but try to benefit from it. For years, communities felt that they were excluded from development decisions. CBAs allowed residents to have a voice in the city planning process. CBAs promote inclusiveness by providing a mechanism to ensure that a broad range of community concerns are heard and addressed.

According to Partnership for Working Families, the national coalition of local CBA advocacy groups, between 2000 and 2006, an estimated 104,000 construction jobs and 113,000 permanent jobs were covered under CBAs. More than 50 major projects from Seattle to Miami have an enforceable CBA attached to them (2006).

To learn more about CBAs, check out this great resource from Partnership for Working Families:
http://www.forworkingfamilies.org/sites/pwf/files/publications/CBAs_Definitions_Gross_2008.pdf

How can you tie a CBA to the land itself and not the developer? What does that process look like?

The Park East Redevelopment Compact (PERC) in Milwaukee applies to all development on 16 acres of valuable downtown real estate, setting a series of standards that had to be met by any developer proposing to buy one of the parcels. The standards are a condition of the sale of each parcel of land that was owned by Milwaukee County. The PERC was put in place by a vote of the Milwaukee County Board. Shortly afterwards, the economic slowdown hit and all development stopped. However, in the past couple of years parcels have been sold and developed according to the provisions of the PERC.

http://www.forworkingfamilies.org/sites/pwf/files/documents/PERC_0.pdf

If your goal is to be sure that the standards apply to all future owners, tenants and lessees, those conditions can be written into a private CBA. The Oakland Army Base land is leased to the developers. The Oakland Army Base Job Policies provide some good language: <http://www.forworkingfamilies.org/sites/pwf/files/documents/OABWestGateway.pdf>. These standards were written into a lease between the City and the developer. The provisions cover all lessees, sub-contractors, etc (See Letter C on page 17). They also apply to any successor companies that assume control of the property (See Letter K on page 18).

What is the role of a city in CBAs?

The CBA coalition can help guide a city's role. After a CBA is signed by the developer and community coalition, it is typically integrated into the development agreement signed by the developer and the city government. This makes the agreement enforceable both by local officials and the community groups. A city can choose to be supportive or neutral, but does not interfere in CBA negotiations. This is typically done through a cooperation agreement signed between a city and the coalition. It might make sense for the City to be a party to the negotiations, especially if they are making a financial contribution to the overall agreement, but is not the same as them being a part of the coalition's bargaining team.