



MEETING OF THE CITY COUNCIL

Agenda

Cheryl Cox, Mayor
Patricia Aguilar, Councilmember
Pamela Bensoussan, Councilmember
Rudy Ramirez, Councilmember
Mary Salas, Councilmember

Gary Halbert, City Manager
Glen R. Googins, City Attorney
Donna R. Norris, City Clerk

Tuesday, August 12, 2014

2:00 PM

Council Chambers
276 4th Avenue, Building A
Chula Vista, CA 91910

SPECIAL MEETINGS OF THE HOUSING AUTHORITY AND THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY MEETING JOINTLY WITH THE CITY COUNCIL OF THE CITY OF CHULA VISTA

Notice is hereby given that the Mayor of the City of Chula Vista has called and will convene Special Meetings of the Housing Authority and the Successor Agency to the Redevelopment Agency meeting jointly with the City Council on Tuesday, August 12, 2014, at 2:00 p.m. in Council Chambers, located at 276 Fourth Avenue, Building A, Chula Vista, California to consider the items on this agenda.

CALL TO ORDER

ROLL CALL:

Councilmembers Aguilar, Bensoussan, Ramirez, Salas and Mayor Cox

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

SPECIAL ORDERS OF THE DAY

- A. 14-0478 OATH OF OFFICE
Nimpa Akana, International Friendship Commission
B. 14-0477 PRESENTATION BY CITY ATTORNEY GLEN GOOGINS, OF EMPLOYEE OF THE MONTH CHERYL PONDS, LEGAL ASSISTANT

- C. [14-0464](#) EMPLOYEE SERVICE RECOGNITION HONORING STAFF WITH MILESTONE SERVICE ANNIVERSARIES
- D. [14-0465](#) INTRODUCTION OF ODAWARA, JAPAN YOUTH AMBASSADORS YUNA TANAKA, SHIMON YOKOYAMA, YAMANAKA CHIKA AND EMIRI SUZUKI, PARTICIPANTS IN THE ANNUAL INTERNATIONAL FRIENDSHIP COMMISSION'S EXCHANGE PROGRAM WITH CHULA VISTA; AND A PRESENTATION BY THE CHULA VISTA YOUTH AMBASSADORS ALEXANDRA HERNANDEZ, JOSH MACARANAS, TIFFANY PASCUA AND MELISSA SERRATO REGARDING THEIR EXPERIENCE IN ODAWARA
- E. [14-0463](#) PRESENTATION BY THE CULTURAL ARTS COMMISSION OF THE 2014 GAYLE MCCANDLISS ARTS AWARD WINNERS OF THE RISING STAR AWARD TO BONITA VISTA HIGH SCHOOL STUDENT BENJAMIN BRANNEN AND HILLTOP HIGH SCHOOL STUDENT DULCE RUIZ
- F. [14-0457](#) UPDATE ON CITY NOW, THE CITY OF CHULA VISTA'S CONTINUOUS IMPROVEMENT PROGRAM: LEAN AND CLEAN CUSTODIAL SERVICES

CONSENT CALENDAR (Items 1 - 4)

The Council will enact the Consent Calendar staff recommendations by one motion, without discussion, unless a Councilmember, a member of the public, or staff requests that an item be removed for discussion. If you wish to speak on one of these items, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting. Items pulled from the Consent Calendar will be discussed immediately following the Consent Calendar.

1. [14-0482](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 3.44 OF THE CHULA VISTA MUNICIPAL CODE TO FORMALIZE A RATE REDUCTION IN THE CITY'S TELEPHONE USERS TAX ("TUT") FROM 5% TO 4.75%, TO CLARIFY THAT THE TUT APPLIES TO WIRELESS TELEPHONE USAGE, AND TO ADD STATE LAW VALIDATION PROVISIONS (SECOND READING AND ADOPTION)

Department: City Attorney

Staff Recommendation: Council adopt the ordinance.

2. [14-0453](#) A. ORDINANCE OF THE CITY OF CHULA VISTA GRANTING A WASTE MANAGEMENT FRANCHISE RENEWAL TO ALLIED WASTE SYSTEMS, INC. (DBA REPUBLIC SERVICES OF CHULA VISTA) ON THE TERMS PRESENTED UNTIL JUNE 30, 2024 WITH TWO OPTIONS TO EXTEND UNTIL JUNE 30, 2031 AND JUNE 30, 2039, RESPECTIVELY, SUBJECT TO THE CITY'S DETERMINATION OF SATISFACTORY PERFORMANCE AND AUTHORIZING THE MAYOR TO EXECUTE SAME (SECOND READING AND ADOPTION) (This ordinance was introduced July 22, 2014)
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDED AND RESTATED OTAY LANDFILL EXPANSION AGREEMENT BETWEEN THE CITY AND OTAY LANDFILL, INC., AND AFFILIATES THEREOF AND AUTHORIZING THE MAYOR TO EXECUTE SAME

Department: Public Works Department

Staff Recommendation: Council adopt the ordinance and resolution.

3. [14-0470](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA SETTING THE ANNUAL SALARY FOR THE ELECTED CITY ATTORNEY EFFECTIVE ON JUNE 27, 2014 AT \$214,244 AND EFFECTIVE DECEMBER 2, 2014 AT \$184,610
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE CITY COUNCIL DEPARTMENT BUDGET TO APPROPRIATE \$6,034 FOR SALARY INCREASES TO BE OFFSET BY UNANTICIPATED REVENUES (4/5 VOTE REQUIRED)
- C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2014-2015 COMPENSATION SCHEDULE AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5
- D. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ELIMINATION OF 1.0 DIRECTOR OF FINANCE FROM THE FINANCE DEPARTMENT, THE ADDITION OF 1.0 DEPUTY CITY MANAGER TO THE ADMINISTRATION DEPARTMENT, SETTING THE DEPUTY CITY MANAGER ANNUAL SALARY AT \$202,980, AND AMENDING THE BUDGET ACCORDINGLY (4/5 VOTE REQUIRED)

Department: Human Resources Department

Staff Recommendation: Council adopt the resolutions.

4. [14-0480](#)
- A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AGREEMENTS BETWEEN THE CITY OF CHULA VISTA AND THE CHULA VISTA EMPLOYEES ASSOCIATION SEIU-LOCAL 221 (CVEA/SEIU), MID-MANAGERS/PROFESSIONAL/SEIU LOCAL 221 (MM/PROF/SEIU), AND WESTERN COUNCIL OF ENGINEERS (WCE) BARGAINING UNITS RELATED TO SALARY ADJUSTMENTS (PROVIDED IN ACCORDANCE WITH MOU SALARY ADJUSTMENT REOPENERS); AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS AND/OR MOU REVISIONS AS MAY BE REQUIRED TO IMPLEMENT THE ABOVE SALARY ADJUSTMENTS
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDED COMPENSATION SUMMARY FOR ALL UNREPRESENTED EMPLOYEES TO REFLECT A 2% SALARY INCREASE
- C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2014/15 BUDGET TO ACCOUNT FOR THE PROPOSED SALARY INCREASES FOR CVEA/SEIU, MM/PROF/SEIU, WCE, AND UNREPRESENTED EMPLOYEES (EXECUTIVES, SENIOR MANAGERS, MID MANAGERS, PROFESSIONALS, CONFIDENTIAL, AND UNCLASSIFIED HOURLY CLASSIFICATIONS) (4/5 VOTE REQUIRED)
- D. RESOLUTION OF THE CHULA VISTA HOUSING AUTHORITY AMENDING THE FISCAL YEAR 2014/15 PERSONNEL SERVICES BUDGET OF THE CV HOUSING AUTHORITY FUND TO ACCOUNT FOR SALARY INCREASES (4/5 VOTE REQUIRED)

Department: Human Resources Department

Staff Recommendation: Council adopt resolutions A, B and C, Authority adopt resolution D.

ITEMS REMOVED FROM THE CONSENT CALENDAR

PUBLIC COMMENTS

Persons speaking during Public Comments may address the Council on any subject matter within the Council's jurisdiction that is not listed as an item on the agenda. State law generally prohibits the Council from discussing or taking action on any issue not included on the agenda, but, if appropriate, the Council may schedule the topic for future discussion or refer the matter to staff. Comments are limited to three minutes.

BOARD AND COMMISSION REPORTS

5. [14-0450](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE APPOINTMENT OF THREE DISTRICTING COMMISSION MEMBERS, PURSUANT TO CHARTER SECTION 300.5.D.

Department: City Attorney

CITY MANAGER'S REPORTS**MAYOR'S REPORTS**

6. [14-0487](#) A. RATIFICATION OF APPOINTMENT OF THE FOLLOWING STUDENTS TO THE YOUTH ACTION COUNCIL:

Kyle McLellan, Bonita High School - 10th grade
Karen Quezada, High Tech High Chula Vista - 12th grade
Eric Rodriguez, Mater Dei High School - 11th grade
Carlos Soto, Chula Vista High School - 12th grade
Elena Hoffman, High Tech High Point Loma - 11th grade

B. RATIFICATION OF APPOINTMENT OF SALLY BOUCREE TO THE INTERNATIONAL FRIENDSHIP COMMISSION

7. [14-0489](#) Consideration of authorizing the Mayor to work with staff to write and submit to the City Clerk direct arguments in favor of, and rebuttal arguments to any arguments against, the measures placed on the November 4, 2014 ballot by the City Council 1) Amending Chula Vista Charter Sections 1009 (Regarding Public Works Contracting), and 1010 and 1011 (Regarding City Contracting Generally); and 2) Amending Chula Vista Charter Section 303 Related to Filling Council Vacancies. (Placed on the agenda by the City Attorney and City Clerk)

COUNCILMEMBERS' COMMENTS

CLOSED SESSION

Announcements of actions taken in Closed Session shall be made available by noon on Wednesday following the Council Meeting at the City Attorney's office in accordance with the Ralph M. Brown Act (Government Code 54957.7).

8. [14-0483](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (a)

Name of case: In the matter of Ruth Marie West, San Diego Superior Court, Case No. 37-2012-151012-PR-PW-CTL

9. [14-0484](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9(c):

One Case

10. [14-0486](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (a)

Name of case: Successor Agency for the Redevelopment Agency of the City of Chula Vista v. Rohr, Inc., et al., San Diego Superior Court, Case No. 37-2013-00077440-CU-TT-CTL.

ADJOURNMENT

to the Regular City Council Meeting on August 19, 2014, at 2:00 p.m., in the Council Chambers.

Materials provided to the City Council related to any open-session item on this agenda are available for public review at the City Clerk's Office, located in City Hall at 276 Fourth Avenue, Building A, during normal business hours.

*In compliance with the
AMERICANS WITH DISABILITIES ACT*

The City of Chula Vista requests individuals who require special accommodations to access, attend, and/or participate in a City meeting, activity, or service, contact the City Clerk's Office at (619) 691-5041 (California Relay Service is available for the hearing impaired by dialing 711) at least forty-eight hours in advance of the meeting.

Sign up at www.chulavistaca.gov to receive email notifications when City Council agendas are published online.