



# CITY COUNCIL AGENDA STATEMENT



**December 1, 2020**

File ID: **20-0496**

## **TITLE**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN ALTERNATIVE DISPUTE RESOLUTION AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE CHULA VISTA POLICE OFFICER'S ASSOCIATION

## **RECOMMENDED ACTION**

Council adopt the resolution.

## **SUMMARY**

In February 2019, the Chula Vista Police Officer's Association (CVPOA) approached the City requesting the City implement a Workers' Compensation Alternative Dispute Resolution (ADR) for claims made by the City's sworn police personnel. On March 17, 2020 Council approved and authorized the addition of 0.50 full-time equivalent (FTE) in the Human Resources Department to develop, implement, and administer the ADR pilot program. To establish an ADR pilot program staff is requesting Council adopt the attached Memoranda of Understanding (MOU) with the CVPOA. If approved by Council, the ADR will be effective upon the date the Administrative Director for the California Department of Industrial Relations files the agreement.

## **ENVIRONMENTAL REVIEW**

The activity is not a "Project" as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

## **BOARD/COMMISSION/COMMITTEE RECOMMENDATION**

Not Applicable

## **DISCUSSION**

In February 2019, the Chula Vista Police Officer's Association (CVPOA) approached the City requesting the City implement a Workers' Compensation ADR for claims made by the City's sworn police personnel. On March 17, 2020 Council approved and authorized the addition of 0.50 FTE in the Human Resources Department to develop, implement, and administer the ADR pilot program. The Risk Management Specialist responsible for this program was hired July 17, 2020. The start date was delayed due to COVID-19.

In order to establish an ADR pilot program staff is requesting Council adopt the attached MOU with the CVPOA (Attachment 1). This ADR has been approved by the CVPOA. Upon approval by Council the ADR will

be effective the date the Administrative Director for the California Department of Industrial Relations files the agreement and will be effective for one year.

#### **DECISION-MAKER CONFLICT**

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the real property holdings of the **City Council** members do not create a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.).

Staff is not independently aware, and has not been informed by any **City Council** member, of any other fact that may constitute a basis for a decision-maker conflict of interest in this matter.

#### **CURRENT-YEAR FISCAL IMPACT**

Maximum cost for FY 21 will be \$9,000 and will be paid from available fund balance in the City's Workers' Compensation Fund.

#### **ONGOING FISCAL IMPACT**

Maximum cost for FY 22 will be \$18,000. The costs will be incorporated into the baseline Workers' Compensation Fund in future fiscal years.

#### **ATTACHMENTS**

1. Alternative Dispute Resolution Agreement between the City of Chula Vista and the Chula Vista Police Officer's Association

- *Staff Contact: Courtney Chase, Director of Human Resources/Risk Management*