



MEETING OF THE CITY COUNCIL

Agenda

Cheryl Cox, Mayor

Rudy Ramirez, Councilmember
John McCann, Councilmember
Jerry R. Rindone, Councilmember
Steve Castaneda, Councilmember

Scott Tulloch, Interim City Manager
Bart Miesfeld, Interim City Attorney
Donna Norris, City Clerk

October 14, 2008
6:00 P.M.

Council Chambers
City Hall
276 Fourth Avenue

CALL TO ORDER

ROLL CALL: Councilmembers Castaneda, McCann, Ramirez, Rindone, and Mayor Cox

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

SPECIAL ORDERS OF THE DAY

- LAUDERBACH PARK REOPENING PRESENTATION AND UPDATE BY REDEVELOPMENT AND HOUSING PROJECT COORDINATOR CARLA BLACKMAR AND COMMUNITY REPRESENTATIVES

CONSENT CALENDAR

(Items 1 through 6)

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. APPROVAL OF MINUTES of August 5 and August 7, 2008.

Staff recommendation: Council approve the minutes.

- 2. WRITTEN COMMUNICATIONS

Memorandum from Councilmember McCann requesting an excused absence from the Council meeting of October 7, 2008.

Staff recommendation: Council excuse the absence.

3. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING INFORMAL BIDS AND AWARDING A CONTRACT FOR THE CONSTRUCTION OF CONFINED SPACE TRAINING APPURTENANCES AT FIRE STATION NO. 4 TO MJC CONSTRUCTION IN THE AMOUNT OF \$40,000 WHICH WILL BE FUNDED THROUGH THE CALIFORNIA FIRE FIGHTER JOINT APPRENTICESHIP COMMITTEE

The Chula Vista Fire Department training site located at 850 Paseo Ranchero is a Regional Technical Rescue Training Facility which is certified by the California State Fire Marshal's Office and is a state-of-the-art facility. The Training Division plans to provide additional underground confined space training structures. These structures can be used for State-certified rescue classes. Adoption of the resolution awards a contract for the construction of the facility, which will consist of four cement vaults connected by underground piping. (City Engineer/Engineering Director, Interim Fire Chief)

Staff recommendation: Council adopt the resolution.

4. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND CREATIVE BENEFITS, A WAGE WORKS COMPANY, FOR THIRD PARTY ADMINISTRATION OF FLEXIBLE SPENDING ACCOUNT (FSA) REIMBURSEMENTS, THE CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT (COBRA) CONTINUATION PLAN, AND THE RETIREE PLAN, AND AUTHORIZING THE CITY MANAGER TO APPROVE THREE ADDITIONAL ONE-YEAR EXTENSIONS OF THE TERM OF THE AGREEMENT

The Human Resources Department is recommending that the City contract with a third-party administrator to handle Flexible Spending Account reimbursements, administration of the COBRA Continuation Plan and the Retiree Plan. A Request for Proposal was issued and five proposals were received and evaluated. Adoption of the resolution approves an agreement with Creative Benefits. (Human Resources Director)

Staff recommendation: Council adopt the resolution.

5. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AWARDING LANDSCAPE MAINTENANCE CONTRACTS TO BRICKMAN GROUP FOR COMMUNITY FACILITY DISTRICTS VILLAGE 11 PHASE 3, SUNBOW II, OTAY RANCH VILLAGE 1 WEST, AND OTAY RANCH AB, AND AWARDING A LANDSCAPE MAINTENANCE CONTRACT TO PARK WEST LANDSCAPE FOR COMMUNITY FACILITY DISTRICT OTAY RANCH STA B, ALL FOR A TERM BEGINNING ON OCTOBER 8, 2008 THROUGH JUNE 30, 2009 AND AUTHORIZING THE PURCHASING AGENT TO APPROVE FIVE ADDITIONAL, ONE-YEAR EXTENSIONS OF THE TERM OF THE CONTRACTS

Due to continued deficiencies in landscape maintenance services for the Community Facility Districts in Village 11 Phase 3, Sunbow II, Otay Ranch Sta B, Otay Ranch Village 1 West and Otay Ranch AB, the City exercised its option to not renew the existing maintenance contracts in these districts for Fiscal Year 2009. As a result, these Community Facilities Districts went out to bid on July 31, 2008. Adoption of the resolution awards the contracts for landscape maintenance. (Public Works Director)

Staff recommendation: Council adopt the resolution.

6. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA SUPPORTING THE RAILS-TO-TRAILS CONSERVANCY'S 2010 CAMPAIGN FOR ACTIVE TRANSPORTATION

The Rails-to-Trails Conservancy is working to expand a Federal pilot program to get people out of their cars and into a more active mode of transportation - walking, biking or transit. The City of Chula Vista has long promoted the idea of providing its citizens with transportation choices. Adoption of the resolution officially supports the Campaign for Active Transportation on behalf of the City of Chula Vista to expand the Non-motorized Transportation Pilot Program within SAFETEA-LU in the next federal transportation re-authorization bill. (City Engineer/Engineering Director)

Staff recommendation: Council adopt the resolution.

**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.*

**PUBLIC HEARINGS**

*The following item(s) have been advertised as public hearing(s) as required by law. If you wish to speak on any item, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting.*

7. CONSIDERATION OF AMENDING THE CITY'S MASTER FEE SCHEDULE AND ESTABLISHING NEW GREENS FEES AT CHULA VISTA MUNICIPAL GOLF COURSE

American Golf Corporation (AGC) is requesting rate changes to green fees for the Chula Vista Municipal Golf Course. In accordance with the lease agreement, AGC can submit rate changes on an annual basis for the City's review and approval. The current Green Fees have been in effect since August 1, 2006. (Public Works Director)

Staff recommendation: Council continue the public hearing to October 21, 2008.

**ACTION ITEMS**

*The Item(s) listed in this section of the agenda will be considered individually by the Council, and are expected to elicit discussion and deliberation. If you wish to speak on any item, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting.*

8. PUBLIC COMMENT REGARDING A LEGAL MEMORANDUM (REDACTED) DISCUSSING DISTRICT ATTORNEY REIMBURSEMENT OF FEES PURSUANT TO A REFERRAL FROM THE CITY COUNCIL MEETING OF OCTOBER 7, 2008 (Interim City Attorney)

### **OTHER BUSINESS**

9. CITY MANAGER'S REPORTS

10. MAYOR'S REPORTS

Ratification of the appointment of Gabriela Sofia Brannan to the Civil Service Commission.

11. COUNCIL 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).*

12. PUBLIC EMPLOYEE APPOINTMENT PURSUANT TO GOVERNMENT CODE SECTION 54957

Title: Planning and Building Director

13. PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO GOVERNMENT CODE SECTION 54957 (Closed Session was not held on this item on October 7, 2008)

Title: City Manager

14. PUBLIC EMPLOYEE APPOINTMENT PURSUANT TO GOVERNMENT CODE SECTION 54957 (Closed Session was not held on this item on October 7, 2008)

Title: City Manager

15. CONFERENCE WITH LEGAL COUNSEL REGARDING SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b)

One Case

16. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a)

Thanh Le v. City of Chula Vista, et al., San Diego Superior Court, Case No. 37-2007-000076220-CU-PA-CTL

17. PUBLIC EMPLOYEE APPOINTMENT PURSUANT TO GOVERNMENT CODE SECTION 54957

Title: Fire Chief

18. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE PURSUANT TO GOVERNMENT CODE SECTION 54957

**ADJOURNMENT** to the Regular meeting of October 21, 2008 at 6:00 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 100, 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 or Telecommunications Devices for the Deaf (TDD) at (619) 585-5655 at least forty-eight hours in advance for meetings and five days for scheduled services and activities. California Relay Service is also available for the hearing impaired.