

ORDINANCE NO. 2504

AN ORDINANCE ADDING SECTION 2.58.070 TO THE CHULA
VISTA MUNICIPAL CODE REGULATING THE PAYMENT OF
PREVAILING WAGES FOR CONTRACTS LET BY THE CITY

WHEREAS, Labor Code Section 1770 et seq. requires a public entity to pay prevailing wages on public works projects;

WHEREAS, on May 20, 1986, the City Council of the City of Chula Vista adopted Resolution No. 12493 rescinding Resolution No. 7532 which established the prevailing wage rates as those listed in the published book entitled "Equipment Rental Rates and General Prevailing Wage Rates," published by the State of California;

WHEREAS, Resolution 12493 limited payment of the prevailing wage to "projects which are required to have the prevailing wage schedule due to their funding by State or Federal programs, the booklet entitled 'Equipment Rental Rates and General Prevailing Rates,' published by the State of California shall be used for said projects";

WHEREAS, the City Council has consulted its City Attorney who has determined that the prevailing wage requirements of the Labor Code do not pertain to local public works projects of a chartered city, when the City is contracting for projects which are limited to "municipal affairs," and State or Federal funding do not otherwise require the payment of the prevailing wage;

WHEREAS, this Ordinance codifies the policy incorporated in Resolution No. 12493 by limiting payment of the prevailing wage requirements to public works projects which involve "statewide concerns," or where required by State or Federal programs;

NOW THEREFORE, the City Council of the City of Chula Vista does ordain as follows:

SECTION 1. Section 2.58.070 is hereby added to the Municipal Code, and said Section shall read as follows:

2.58.070 Payment of Prevailing Wages

No contract shall require payment of the prevailing wage schedule unless:

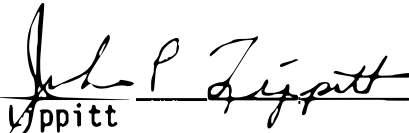
- A. The prevailing wage is legally required, and constitutionally permitted to be imposed, by Federal or State grants; or
- B. The project is considered by the City Council not to be a municipal affair of the City; or

C. Payment of the prevailing wage is authorized by resolution of the city council.

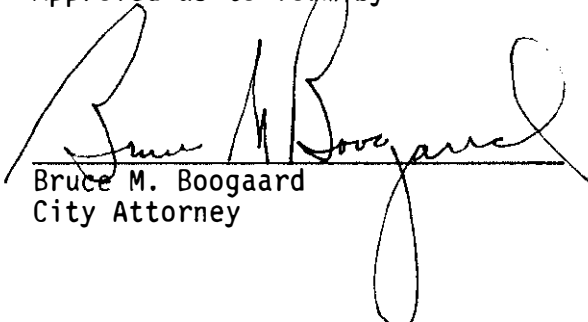
Payment of the prevailing wage schedule if authorized hereunder, shall use the pertinent rates published by the State of California.

Presented by

Approved as to form by




John Tippitt
Director of Public Works



Bruce M. Boogaard
City Attorney

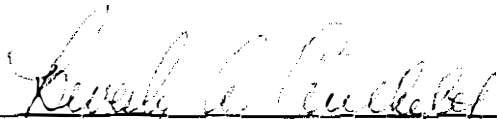
PASSED, APPROVED and ADOPTED by the City Council of the City of Chula Vista, California, this 21th day of April, 1992, by the following vote:

AYES:	Councilmembers:	Grasser Horton, Malcolm, Moore, Rindone
NOES:	Councilmembers:	Nader
ABSENT:	Councilmembers:	None
ABSTAIN:	Councilmembers:	None



David Malcolm
Mayor Pro-Tempore

ATTEST:



Beverly A. Authelet, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.
CITY OF CHULA VISTA)

I, Beverly A. Authelet, City Clerk of the City of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 2504 had its first reading on April 7, 1992, and its second reading and adoption at a regular meeting of said City Council held on the 21th day of April, 1992.

Executed this 21th day of April, 1992.



Beverly A. Authelet, City Clerk