



MEETING OF THE CITY COUNCIL

Agenda

Mary Casillas Salas, Mayor
Patricia Aguilar, Councilmember
Mike Diaz, Councilmember
John McCann, Councilmember
Stephen C. Padilla, Councilmember

Gary Halbert, City Manager
Glen R. Googins, City Attorney
Kerry K. Bigelow, City Clerk

Tuesday, September 18, 2018

5:00 PM

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

REGULAR MEETING OF THE CITY COUNCIL

CALL TO ORDER

ROLL CALL:

Councilmembers Aguilar, Diaz, McCann, Padilla and Mayor Casillas Salas

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

SPECIAL ORDERS OF THE DAY

A. 18-0434 OATHS OF OFFICE

Jim Combs, Board of Appeals and Advisors
Nicole Enrique, Parks and Recreation Commission
Ricardo Gutierrez, Human Relations Commission
Patrick Macfarland, Housing Advisory Commission
Christian Moreno, Board of Library Trustees
Vianney Ruvalcaba, Sustainability Commission

B. 18-0347 PRESENTATION BY SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) CHAIRPERSON TERRY SINNOTT AND CHIEF DEPUTY EXECUTIVE DIRECTOR KIM KAWADA REGARDING SANDAG'S RECENT

ACCOMPLISHMENTS, PLAN OF EXCELLENCE, AND  
EXECUTIVE DIRECTOR RECRUITMENT

- C. [18-0422](#) PRESENTATION BY PORT OF SAN DIEGO  
COMMISSIONER ANN MOORE ON UPCOMING  
OUTREACH ACTIVITIES TO SECURE PUBLIC INPUT ON  
DESIGN OF HARBOR AND SWEETWATER PARKS AT  
CHULA VISTA BAYFRONT

**CONSENT CALENDAR (Items 1 - 5)**

*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. [18-0435](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING  
CHULA VISTA MUNICIPAL CODE CHAPTER 5.54,  
REGULATING TAXICABS AND OTHER FOR-HIRE  
VEHICLES THROUGH ADOPTION OF SAN DIEGO  
METROPOLITAN TRANSIT SYSTEM CODIFIED  
ORDINANCE NO. 11 (SECOND READING AND ADOPTION)

*Department:* Police Department

*Environmental Notice:* 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. In addition, notwithstanding the foregoing, the "Project" also qualifies for an Exemption pursuant to Section 15061(b) (3) of the California Environmental Quality Act State Guidelines.

*Recommended Action:* Council adopt the ordinance.

2. [18-0310](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CHULA VISTA APPROVING THE AMENDED AND  
RESTATED WASTEWATER DISPOSAL AGREEMENT AND  
DIRECTING THE METRO COMMISSION / METRO JPA  
REPRESENTATIVE TO SUPPORT THE SAME AT METRO  
COMMISSION / METRO JPA MEETINGS

*Department:* Engineering Department

*Environmental Notice:* 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.

*Recommended Action:* Council adopt the resolution.

3. [18-0379](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE FORM OF A MASTER ENCROACHMENT AGREEMENT FOR THE INSTALLATION OF NETWORK FACILITIES WITHIN THE PUBLIC RIGHT-OF-WAY

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CHAPTER 11 (ENGINEERING FEES) OF THE CITY'S MASTER FEE SCHEDULE TO ESTABLISH NETWORK FACILITY ENCROACHMENT PERMIT FEES

*Department:* Engineering Department

*Environmental Notice:* The Development Services Director has reviewed the proposed activity, approval of an agreement, for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "project" as defined under section 15378 of the State CEQA Guidelines; therefore, pursuant to section 15060 (c)(3) of the State CEQA Guidelines the activity is not subject to CEQA.

*Recommended Action:* Council adopt the resolutions.

4. [18-0344](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ORDERING THE SUMMARY VACATION OF AN IRREVOCABLE OFFER OF DEDICATION OF LOT "6" FOR PUBLIC PARK PURPOSES AND OF LOT "7" FOR SCHOOL PURPOSES PER FINAL MAP NO. 16112, CHULA VISTA TRACT NO. 12-05, OTAY RANCH VILLAGE 2 SOUTH

*Department:* Development Services Department

*Environmental Notice:* The Director of Development Services has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the Project was adequately covered in previously certified Final Second Tier Environmental Impact Report, EIR 02-02 and Final Supplemental Environmental Impact Report, SEIR 12-01 for the Otay Ranch Village Two Sectional Planning Area (SPA) Plan. Thus, no further environmental review or documentation is required.

*Recommended Action:* Council adopt the resolution.

5. [18-0397](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING COMPETITIVE BIDDING, APPROVING A SOLE-SOURCE PURCHASE AGREEMENT FOR TWO (2) PIERCE ARROW XT TRIPLE COMBINATION PUMPER / FIRE ENGINES BETWEEN THE CITY AND

SOUTH COAST FIRE EQUIPMENT, AND AUTHORIZING  
THE CITY MANAGER TO EXECUTE THE SAME

*Department:* Fire Department

*Environmental Notice:* 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.

*Recommended Action:* 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.*

6. [18-0311](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DENYING THE APPEAL BY ROD BISHARAT AND AFFIRMING THE PLANNING COMMISSION'S APPROVAL OF DESIGN REVIEW PERMIT DR15-0037 AND CONDITIONAL USE PERMIT CUP15-0023 TO CONSTRUCT A 2,380 SQUARE-FOOT AUTOMATED CARWASH BUILDING WITH VACUUM STATIONS ON A 0.55 ACRE SITE LOCATED AT 495 TELEGRAPH CANYON ROAD, SUBJECT TO THE CONDITIONS CONTAINED THEREIN

**Department:** Development Services Department

**Environmental Notice:** The Development Services Director has reviewed the Project for compliance with the California Environmental Quality Act (CEQA) and has determined that the Project qualifies for a categorical exemption pursuant to Section 15332 of the State CEQA Guidelines. Thus, no further environmental review is required.

**Recommended Action:** Council conduct the public hearing and adopt the resolution.

**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.*

7. [18-0364](#) PRESENTATION ON THE STATUS OF THE MILLENIA (EASTERN URBAN CENTER) FIRE STATION NO. 10

A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING CONSTRUCTION OF THE MILLENIA (EASTERN URBAN CENTER) FIRE STATION NO. 10

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A SOLE SOURCE PURCHASE WITH SOUTH COAST FIRE EQUIPMENT AND A 10-YEAR LEASE PURCHASE AGREEMENT WITH JP MORGAN CHASE BANK, N.A. FOR THE ACQUISITION OF ONE (1) PIERCE ARROW XT TRIPLE COMBINATION PUMPER / FIRE ENGINE AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE THE FINAL PURCHASE AND LEASE AGREEMENT

*Department:* Development Services Department

*Environmental Notice:* The Project was adequately covered in previously adopted Final Environmental Impact Report for the Eastern Urban Center (Millenia) Sectional Planning Area (SPA) Plan (FEIR 07-01)(SCH#2007041074).

*Recommended Action:* Council hear the report and adopt the resolutions.

8. [18-0390](#) CONSIDERATION OF REAPPOINTMENTS TO THE FOLLOWING COMMISSIONS:

A. REAPPOINTMENT TO FIRST TERM

- Jon Milburn, Planning Commission

B. REAPPOINTMENTS TO SECOND TERMS

- Maria Garcia-Lopez, Parks and Recreation Commission

- Gabe Gutierrez, Planning Commission

- Michael Lengyel, Growth Management Oversight Comm.

*Department:* City Clerk

*Environmental Notice:* 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.

*Recommended Action:* Council make the reappointments as appropriate.

## **CITY MANAGER'S REPORTS**

**MAYOR'S REPORTS****COUNCILMEMBERS' COMMENTS****CITY ATTORNEY'S REPORTS****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).*

9. [18-0429](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)

A. Name of case: Alexandra Investments, Inc., et al. v. City of Chula Vista, et al., San Diego Superior Court, Case No. 37-2018-00010121-CU-NP-CTL

B. Name of case: Tara Zaragoza v. Chriezl L. Valerio, et al; SDSC No. 37-2017-00033782-CU-PA-CTL

10. [18-0433](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION  
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4):

One [1] Case (property located at northeast corner of First Ave. and Milan Court, Chula Vista, CA)

11. [18-0394](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION  
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): [1] Case

(This item was continued from 9/11/2018.)

**ADJOURNMENT**

*to the Special City Council Meeting on September 20, 2018, at 4:00 p.m., in the Executive Conference Room; and thence to the Regular City Council Meeting on September 25, 2018, at 5:00 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.*

*Most Chula Vista City Council meetings, including public comments, are video recorded and aired live on AT&T U-verse channel 99 (throughout the County), on Cox Cable channel 24 (only in Chula Vista), and online at [www.chulavistaca.gov](http://www.chulavistaca.gov). Recorded meetings are also aired on Wednesdays at 7 p.m. (both channels) and are archived on the City's website.*

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