



MEETING OF THE CITY COUNCIL

Agenda

Mary Casillas Salas, Mayor
Patricia Aguilar, Councilmember
Pamela Bensoussan, Councilmember
John McCann, Councilmember
Steve Miesen, Councilmember

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

Tuesday, February 2, 2016

5:00 PM

Council Chambers
276 Fourth Avenue, Bldg. A
Chula Vista, CA 91910
Teleconferencing location:
1152 Alcyon Place, Uniondale, NY 11553

REGULAR MEETING OF THE CITY COUNCIL

CALL TO ORDER

ROLL CALL:

Councilmembers Aguilar, Bensoussan, McCann, Miesen and Mayor Casillas Salas

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

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. 16-0060 APPROVAL OF MINUTES of January 26, 2016.

Staff Recommendation: Council approve the minutes.

2. [16-0059](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 19.02 OF THE CHULA VISTA MUNICIPAL CODE TO AFFIRM PERMISSIVE ZONING PRINCIPLES AND TO CLARIFY THAT USES PROHIBITED ELSEWHERE IN THE MUNICIPAL CODE ARE ALSO PROHIBITED LAND USES (SECOND READING AND ADOPTION)

Department: City Attorney

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. Notwithstanding the foregoing, the activity qualifies for an Exemption pursuant to Section 15061(b)(3) of the California Environmental Quality Act State Guidelines.

Staff Recommendation: Council adopt the ordinance.

3. [16-0058](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING MUNICIPAL CODE SECTION 20.04.50 - "BUSINESS RESOURCE AND ENERGY EVALUATIONS," STREAMLINING BUSINESSES' REQUIREMENTS FOR PARTICIPATION IN RESOURCE AND ENERGY EVALUATIONS (SECOND READING AND ADOPTION)

Department: Economic Development Department

Environmental Notice: The Project qualifies for a Class 8 Categorical Exemption pursuant to Section 15308 Actions by Regulatory Agencies for Protection of the Environment of the California Environmental Quality Act State Guidelines.

Staff Recommendation: Council adopt the ordinance.

4. [16-0049](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A GRANT APPLICATION FROM THE CITY OF CHULA VISTA TO THE UNITED STATES DEPARTMENT OF TRANSPORTATION FOR "BEYOND TRAFFIC: THE SMART CITY CHALLENGE"

Department: Public Works 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.

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.

5. [15-0683](#) CONSIDERATION OF AN APPEAL OF THE PLANNING COMMISSION'S DECISION REGARDING DESIGN REVIEW PERMIT DR15-003

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DENYING THE APPEAL AND UPHOLDING THE PLANNING COMMISSION DECISION GRANTING APPROVAL OF DR15-0003 FOR AN 87-UNIT MULTI-FAMILY RESIDENTIAL PROJECT AT 701 "D" STREET

Department: Development Services Department

Environmental Notice: The Project qualifies for a Class 32 Categorical Exemption pursuant to Section 15332 (In-Fill Development) of the California Environmental Quality Act State Guidelines.

Staff Recommendation: Council conduct the public hearing and adopt the resolution.

CITY MANAGER'S REPORTS**MAYOR'S REPORTS****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).

6. [16-0061](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)

Names of cases:

(A) Chris Shilling, et al. v. City of Chula Vista, et al., San Diego Superior Court, Case No. 37-2015-00006097 -CU-MC-CTL;

(B) Diamantina Mackedesy v. City of Chula Vista, San Diego Superior Court, Case No. 37-2015-00007251, CU-PO-CTL

ADJOURNMENT

to the Special City Council Meeting on February 4, 2016, at 4:00 p.m., in the Executive Conference Room, Building A; and thence to the Regular City Council Meeting on February 9, 2016, 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. Recorded meetings are also aired on Wednesdays at 7 p.m. (both channels) and are archived on the City's website.

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

NOTICE OF REVIEW AND PENDING APPROVAL OF FINAL MAP

In accordance with California Government Code Section 66458(d), notice is hereby given that the City Engineer has reviewed and, immediately following this City Council meeting of February 2, 2016, will approve the following final map:

Chula Vista Tract No. 07-07, Concordia Cove, 23 single-family units located on 3.899 acres at 267 "E" Street, northeast corner of East Oxford Street and Melrose Avenue.

Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.*
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.*
- (3) The map is technically correct.*

Said map will be finalized and recorded, unless an interested party files a valid appeal of the City Engineer's action to City Council no later than 2:00 p.m., 10 calendar days from the date of this City Council meeting. A valid appeal must identify the improper/incorrect finding and the basis for such conclusion.

If you have any questions about the map approval findings or need additional information about the map or your appeal rights, please feel free to contact Tom Adler at (619) 409-5483.