



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, December 19, 2017

5:00 PM

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

REGULAR MEETING OF THE CITY COUNCIL

REVISED 12/15/2017

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. 17-0550 PRESENTATION OF A PROCLAMATION COMMENDING BATTALION CHIEF MIKE REEVES UPON 32 YEARS OF DEDICATED SERVICE

CONSENT CALENDAR (Items 1 - 13)

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. [17-0387](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROPRIATING \$200,000 FROM THE AVAILABLE BALANCE OF THE SEWER FACILITY REPLACEMENT FUND TO THE MAX FIELD PUMP STATION RECONSTRUCTION PROJECT (SW278) FOR CONTRACT CHANGE ORDERS WITH JUST CONSTRUCTION, INC.; RATIFYING CITY STAFF'S ACTION ON APPROVING CHANGE ORDERS FOR THE PROJECT; AND AUTHORIZING THE CITY ENGINEER TO EXPEND ALL AVAILABLE FUNDS IN THE PROJECT (4/5 VOTE REQUIRED)

*Department:* Engineering Department

*Environmental Notice:* The Project qualifies for a Class 1 Categorical Exemption pursuant to Section 15301 (*Existing Facilities*) of the California Environmental Quality Act State Guidelines.

*Staff Recommendation:* Council adopt the resolution.
  
2. [17-0491](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING COUNCIL POLICY NO. 841-01 (COMMUNITY GARDENS POLICY), INCLUDING THE CONSIDERATION TO ALLOW COMMUNITY GARDENS ON ALL CITY-OWNED LAND

*Department:* Development Services 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.
  
3. [17-0492](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 8.22 OF THE CHULA VISTA MUNICIPAL CODE TO EXPAND SMOKING PROHIBITIONS (FIRST READING)

*Department:* Development Services 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 place the ordinance on first reading.

4. [17-0506](#) REPORT REGARDING DEVELOPMENT IMPACT FEES, THE PARKLAND ACQUISITION AND DEVELOPMENT FEE, AND TRUNK SEWER CAPITAL RESERVE FUNDS FOR THE FISCAL YEAR ENDED JUNE 30, 2017

A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING REQUISITE FINDINGS PURSUANT TO GOVERNMENT CODE SECTION 66001(d) FOR DEVELOPMENT PROJECT FEES COLLECTED AND REMAINING UNEXPENDED FOR FIVE OR MORE YEARS (POGGI CANYON SEWER DEVELOPMENT IMPACT FEE, OTAY RANCH VILLAGES 1, 2, 5, & 6 PEDESTRIAN BRIDGE DEVELOPMENT IMPACT FEE, AND OTAY RANCH VILLAGE 11 PEDESTRIAN BRIDGE DEVELOPMENT IMPACT FEE)

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING REQUISITE FINDINGS PURSUANT TO GOVERNMENT CODE SECTION 66001(d) FOR DEVELOPMENT PROJECT FEES COLLECTED AND REMAINING UNEXPENDED FOR FIVE OR MORE YEARS (EASTERN TRANSPORTATION DEVELOPMENT IMPACT FEE)

C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING REQUISITE FINDINGS PURSUANT TO GOVERNMENT CODE SECTION 66001(d) FOR DEVELOPMENT PROJECT FEES COLLECTED AND REMAINING UNEXPENDED FOR FIVE OR MORE YEARS (TELEGRAPH CANYON DRAINAGE DEVELOPMENT IMPACT FEE)

**Department:** Development Services 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 accept the report and adopt the resolutions.

5. [17-0511](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ORDERING THE SUMMARY VACATION OF THE IRREVOCABLE OFFER OF DEDICATION OF LOTS "F" AND "G" FOR OPEN SPACE PURPOSES PER FINAL MAP NO. 15942, CHULA VISTA TRACT NO. 09-03, OTAY RANCH MILLENIA (EASTERN URBAN CENTER)
- Department:* Development Services Department
- Environmental Notice:* The Project was adequately covered in previously adopted/certified Final Second Tier Environmental Impact Report (EIR 07-01) for the Otay Ranch Eastern Urban Center (EUC) Sectional Planning Area (SPA) Plan.
- Staff Recommendation:* Council adopt the resolution.
6. [17-0494](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE CITY OF CHULA VISTA CAFETERIA BENEFITS PLAN FOR 2018
- Department:* Human Resources 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.
7. [17-0518](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE PURCHASE OF VARIOUS NETWORKING HARDWARE AND SOFTWARE EQUIPMENT FROM NIC PARTNERS UTILIZING NASPO VALUEPOINT CONTRACT AR-233 (14-19) PA# 7-14-70-04; AND APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH NIC PARTNERS UTILIZING CALIFORNIA MULTIPLE AWARD SCHEDULE (CMAS) CONTRACT # 3-10-70-2473L FOR PROFESSIONAL SERVICES
- Department:* Information Technology Department
- Environmental Notice:* The Project qualifies for a Class 1 Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act State Guidelines.
- Staff Recommendation:* Council adopt the resolution.

8. [17-0522](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING SECTION 2.04.020 OF THE CHULA VISTA MUNICIPAL CODE RELATING TO THE TIME AND PLACE OF COUNCIL MEETINGS (FIRST READING)
- Department:* City Manager
- 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 place the ordinance on first reading.
9. [17-0531](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE CITY-INITIATED TOW AND STORAGE RATE SCHEDULE AND THE TOW LICENSE FEE
- 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.
- Staff Recommendation:* Council adopt the resolution.
10. [17-0534](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROPRIATING \$33,000 IN UNANTICIPATED GRANT REVENUE TO THE SUPPLIES AND SERVICES CATEGORY OF THE ANIMAL CARE FACILITY’S “OTHER GRANT FUND” BUDGET (4/5 VOTE REQUIRED)
- Department:* Animal Care Facility
- 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.

11. [17-0538](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE FEDERAL AVIATION AUTHORITY, A PARTNERSHIP AGREEMENT WITH THE CITY OF SAN DIEGO AND AGREEMENTS WITH INDUSTRY PARTNERS IN SUPPORT OF THE REGIONAL APPLICATION, BY THE CITY OF SAN DIEGO, TO THE FEDERAL AVIATION AUTHORITY'S UNMANNED AERIAL SYSTEMS INTEGRATION PILOT PROGRAM

*Department:* Economic Development 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.

12. [17-0476](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE PURCHASE OF A 0.20 ACRE PROPERTY LOCATED AT 1095 ALPINE AVENUE FOR PUBLIC PURPOSES INCLUDING THE POTENTIAL CONSTRUCTION OF A NEW FIRE STATION TO REPLACE EXISTING STATION 9 AND APPROPRIATING FUNDS FROM THE GENERAL FUND RESERVE THEREFOR (4/5 VOTE REQUIRED)

*Department:* Economic Development Department

*Environmental Notice:* The Project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act State Guidelines Section 15303 Class 3 (New Construction or Conversion of Small Structures) and/or Section 15332 Class 32 (In-Fill Development Projects).

*Staff Recommendation:* Council adopt the resolution.

13. [17-0402](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 17-I (WESTERN CHULA VISTA DIF FINANCING PROGRAM), DECLARING THE RESULTS OF A SPECIAL ELECTION IN THAT TERRITORY DESIGNATED AS COMMUNITY FACILITIES DISTRICT NO. 17-I (WESTERN CHULA VISTA DIF FINANCING PROGRAM), ANNEXATION NO. 2017-01 (URBANA), AND ADDING SUCH TERRITORY TO THE DISTRICT

*Department:* Economic Development 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.*

14. [17-0510](#) PRESENTATION AND CONSIDERATION OF ACCEPTANCE OF THE 2016/2017 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) AND SOLICITATION OF INPUT ON FUNDING PRIORITIES FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME), AND EMERGENCY SOLUTIONS GRANT (ESG) FOR THE 2018/2019 PROGRAM YEAR

**Department:** Development Services Department

**Environmental Notice:** The proposed activities are not considered "Projects" as defined under Section 15378(b)(5) of the State CEQA Guidelines because the proposals consist of a reporting action, is an administrative function, and is not site specific project(s) and will not result in a direct or indirect physical change in the environment. Therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, these activities are not subject to CEQA. Under NEPA, the activity qualifies for a Certification of Exemption.

**Staff Recommendation:** Council conduct the public hearing and accept the year-end report.

## 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.*

15. [17-0521](#) PRESENTATION OF CITY OF CHULA VISTA PUBLIC SAFETY STAFFING STRATEGIES REPORT INCLUDING REVENUE OPTIONS AND PUBLIC OPINION SURVEY RESULTS

**Department:** City Manager, Police 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.

**Staff Recommendation:** Council accept the report and provide direction to staff.

16. [17-0539](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN EXCLUSIVE NEGOTIATING AGREEMENT WITH THE UNIVERSITY OF SAINT KATHERINE FOR A PROPOSED UNIVERSITY DEVELOPMENT

**Department:** Economic Development 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.

**CITY MANAGER'S REPORTS****MAYOR'S REPORTS**

17. [17-0530](#) APPOINTMENT OF DEPUTY MAYOR
18. [17-0527](#) APPOINTMENT OF CITY COUNCILMEMBERS TO OUTSIDE AGENCIES:
- Chula Vista Veterans Home Support Foundation - Member
  - Chula Vista Veterans Home Support Foundation - Alternate
  - Interagency Water Task Force - Two (2) Members
  - International Council for Local Environmental Initiatives (ICLEI) - Environmental Lead
  - International Council for Local Environmental Initiatives (ICLEI) - Alternate
  - League of California Cities, San Diego Division - Member
  - League of California Cities, San Diego Division - Alternate
  - Metropolitan Transit System Board of Directors (MTS) - 1st Member (Mayor)
  - Metropolitan Transit System Board of Directors (MTS) - 2nd Member (City Council Member)
  - Metropolitan Transit System Board of Directors (MTS) - Alternate
  - Metropolitan Wastewater Commission (Metro) - Member
  - Metropolitan Wastewater Commission (Metro) - Alternate
  - Otay Valley Regional Park (OVRP) Policy Committee - Member
  - Otay Valley Regional Park (OVRP) Policy Committee - Alternate
  - Otay Ranch Preserve Owner Manager (POM) Policy Committee - Member
  - Otay Ranch Preserve Owner Manager (POM) Policy Committee - Alternate
  - San Diego Association of Governments (SANDAG) Board of Directors - Member
  - San Diego Association of Governments (SANDAG) Board of Directors - 1st Alternate
  - San Diego Association of Governments (SANDAG) Board

of Directors - 2nd Alternate

- San Diego Association of Governments (SANDAG)  
Bayshore Bikeway Committee
- South County Economic Development Council (EDC) -  
Member
- South County Economic Development Council (EDC) -  
Alternate
- University Project Task Force with Southwestern College -  
Two (2) Members

19. [17-0552](#) CONSIDERATION OF CITY ENDORSEMENT OF THE TEDX CHULA VISTA EVENT SCHEDULED FOR MAY 19, 2018, WHICH WILL BE A LOCALLY ORGANIZED PRESENTATION DESIGNED TO SHARE IDEAS AND ENCOURAGE COMMUNITY CONVERSATION. THIS EVENT IS BEING COORDINATED BY CHULA VISTA ELEMENTARY SCHOOL DISTRICT REPRESENTATIVES IN COLLABORATION WITH SOUTHWESTERN COMMUNITY COLLEGE DISTRICT, CITY OF CHULA VISTA, AND OTHER LOCAL AND REGIONAL AGENCIES, AND IS EXPECTED TO BRING LOCAL, REGIONAL, STATE, NATIONAL, AND INTERNATIONAL RECOGNITION FOR THE CITY OF CHULA VISTA

#### **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).*

20. [17-0553](#) CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION  
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4):

One (1) Case.

**ADJOURNMENT**

*to the Regular City Council Meeting on January 9, 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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