



MEETING OF THE CITY COUNCIL

Agenda

Mary Casillas Salas, Mayor
John McCann, Councilmember - District 1
Jill M. Galvez, Councilmember - District 2
Stephen C. Padilla, Councilmember - District 3
Mike Diaz, Councilmember - District 4

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

Tuesday, June 18, 2019

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 Diaz, Galvez, McCann, Padilla and Mayor Casillas Salas

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

SPECIAL ORDERS OF THE DAY

- A. 19-0313 PRESENTATION OF QUARTERLY EMPLOYEE RECOGNITION RECIPIENTS
B. 19-0282 PRESENTATION BY DEL MAR FAIRGROUND MARKETING CONSULTANT AMY LAUFENBERG REGARDING THE 2019 SAN DIEGO COUNTY FAIR

CONSENT CALENDAR (Items 1 - 8)

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. [19-0336](#) APPROVAL OF MINUTES of January 22, 2019.
Recommended Action: Council approve the minutes.

2. [19-0331](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING CONTRACTS WITH KARPEL SOLUTIONS FOR SOFTWARE, SUBSCRIPTION, AND LICENSING SERVICES
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.
Recommended Action: Council adopt the resolution.

3. [19-0308](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE MASTER PLAN FOR A FENCED, OFF-LEASH DOG PARK AT ROHR PARK
Department: Community Services Department
Environmental Notice: The Project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act State Guidelines Section 15301 Class 1 (Existing Facilities), Section 15303 class 3 (New Construction or Conversion of Small Structures), Section 15304 Class 4 (Minor Alterations to Land), Section 15323 Class 23 (Normal Operations of Facilities for Public Gatherings), and Section 15061(b)(3).
Recommended Action: Council adopt the resolution.

4. [19-0279](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING CONTINUATION OF THE ELECTRICITY COMMODITY PURCHASES FROM SHELL ENERGY AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS IN CONJUNCTION WITH UPDATING THE PURCHASE RATES
(This item was continued from 5/21/2019.)
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.
Recommended Action: Council adopt the resolution.

5. [19-0167](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS; AWARDING THE CONTRACT FOR THE “THIRD AVENUE STREETScape IMPROVEMENT PROJECT PHASE III (STL0406)” PROJECT TO TRI-GROUP CONSTRUCTION AND DEVELOPMENT, INC., IN THE AMOUNT OF \$3,127,680; TRANSFERRING \$110,000 IN TRANSNET APPROPRIATIONS FROM STM0398 TO STL0406; AND APPROPRIATING \$2,500,000 IN TRANSNET SMART GROWTH INCENTIVE PROGRAM (SGIP) GRANT FUNDS (4/5 VOTE REQUIRED)
- Department:* Engineering Department
- Environmental Notice:* The project was adequately covered in previously adopted/certified final environmental impact report, feir-06-01 for the Chula Vista Urban Core Specific Plan (UCSP) and any and all addenda and amendments.
- Recommended Action:* Council adopt the resolution.
6. [19-0315](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA TRANSFERRING UNCLAIMED MONIES IN THE AMOUNT OF \$149 FROM THE CASH BOND DEPOSIT FUND TO THE GENERAL FUND
- 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.
- Recommended Action:* Council adopt the resolution.
7. [19-0327](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDED PUBLIC SAFETY EXPENDITURE PLAN
- Department:* Police & Fire Departments
- 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.

8. [19-0222](#)
- A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING A LANDSCAPE MAINTENANCE CONTRACT BETWEEN THE CITY AND AZTEC LANDSCAPING, INC. FOR OPEN SPACE LANDSCAPE MAINTENANCE SERVICES IN BID GROUPS 1 (\$844,584), 2 (\$220,956), 3 (\$474,288), 5 (\$604,596), 6 (\$1,219,728), 7 (\$434,724), AND 10 (\$428,244) IN THE TOTAL AMOUNT OF \$4,227,120
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING A LANDSCAPE MAINTENANCE CONTRACT BETWEEN THE CITY AND BRIGHTVIEW LANDSCAPE SERVICES FOR OPEN SPACE LANDSCAPE MAINTENANCE SERVICES IN BID GROUPS 4 (\$593,530), 8 (\$532,231), AND 11 (\$648,652) IN THE TOTAL AMOUNT OF \$1,774,413
- C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING A LANDSCAPE MAINTENANCE CONTRACT BETWEEN THE CITY AND GEOCAL ENVIRONMENTAL MANAGEMENT & LANDSCAPING FOR OPEN SPACE LANDSCAPE MAINTENANCE SERVICES IN BID GROUP 9 (OPEN SPACE DISTRICTS 5, 6, 9, 10, AND 11) IN THE AMOUNT OF \$169,861

Department: Public Works Department

Environmental Notice: The Project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act State Guidelines Section 15304 Class 4 (Minor Alterations to Land) and Section 15301 Class 1 (Existing Facilities).

Recommended Action: Council adopt the resolutions.

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.

9. [19-0283](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA CONSIDERING A LAND USE AMENDMENT AND REZONING INITIATION REQUEST (IR19-0026), AND PROVIDING INPUT TO STAFF REGARDING PROCESSING A GENERAL PLAN AMENDMENT AND REZONE FOR APPROXIMATELY 50-ACRES LOCATED WEST OF I-5 AND EAST AND SOUTH OF THE MAIN OFFICE AND DISTRIBUTION BUILDINGS ON THE COLLINS AEROSPACE/UNITED TECHNOLOGY COMPANY CAMPUS

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

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

10. [19-0293](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA CONSIDERING THE THIRD ADDENDUM (IS-17-0005) TO FEIR 02-04; APPROVING AN AMENDMENT TO THE OTAY RANCH GENERAL DEVELOPMENT PLAN TO REFLECT LAND USE CHANGES FOR APPROXIMATELY 36 ACRES WITHIN THE OTAY RANCH FREEWAY COMMERCIAL PLANNING AREA 12 PLANNED COMMUNITY, INCLUDING ASSOCIATED TEXT, MAPS AND TABLES

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AMENDMENT TO THE OTAY RANCH FREEWAY COMMERCIAL SECTIONAL PLANNING AREA (SPA) PLAN, DESIGN PLAN, AND ASSOCIATED REGULATORY DOCUMENTS; AND APPROVING AN AMENDMENT TO THE OTAY RANCH FREEWAY COMMERCIAL NORTH MASTER PRECISE PLAN

C. ORDINANCE OF THE CITY OF CHULA VISTA APPROVING AMENDMENTS TO OTAY RANCH FREEWAY COMMERCIAL SECTIONAL PLANNING AREA (SPA) PLANNED COMMUNITY DISTRICT REGULATIONS FOR THE NORTHERLY FC-2 PORTION (FIRST READING)

D. ORDINANCE OF THE CITY OF CHULA VISTA APPROVING A DEVELOPMENT AGREEMENT AMENDMENT BETWEEN THE CITY OF CHULA VISTA, VILLAGE II TOWN CENTER, LLC AND SUNRANCH CAPITAL PARTNERS, LLC FOR THE FREEWAY COMMERCIAL NORTH PORTION OF OTAY RANCH PLANNING AREA 12 (FIRST READING)

E. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A FIRST AMENDMENT TO THE AGREEMENT FOR THE PROVISION OF COMMUNITY PURPOSE FACILITY ACREAGE FOR OTAY RANCH VILLAGE TWO BETWEEN THE CITY OF CHULA VISTA AND OTAY PROJECT, L.P

F. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING TENTATIVE SUBDIVISION MAP CVT 19-0001 FOR OTAY RANCH PLANNING AREA 12 FREEWAY COMMERCIAL NORTH

G. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A DESIGN REVIEW PERMIT DR17-0037 TO CONSTRUCT A MIXED-USE PROJECT CONSISTING OF A 578-UNIT APARTMENT COMPLEX, 15,000 SQUARE FEET OF RETAIL USE, TWO INTEGRATED PARKING STRUCTURES ON TWO LOTS CONSISTING OF 10.4 ACRES LOCATED IN THE OTAY RANCH FREEWAY COMMERCIAL NORTH, NEIGHBORHOOD PA-12

Department: Development Services Department

Environmental Notice: The Project was adequately covered in previously adopted Final Environmental Impact Report for the Otay Ranch Freeway Commercial Sectional Planning Area (SPA) Plan - Planning Area 12 (FEIR 02-04) (SCH#1989010154) and only minor technical changes or additions to this document were necessary; therefore, a Third Addendum to FEIR 02-04 has been prepared.

Recommended Action: Council conduct the public hearing, adopt the resolutions and place the ordinances on first reading.

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.

11. [19-0303](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A REQUEST BY THE CITY'S FRANCHISED WASTE COLLECTION SERVICES PROVIDER, REPUBLIC SERVICES, TO INCREASE SERVICE FEES FOR SOLID WASTE AND RECYCLING SERVICES, BASED ON EXCEPTIONAL CIRCUMSTANCES

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

Recommended Action: Council adopt the resolution.

12. [19-0276](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT BY AND BETWEEN THE CITY OF CHULA VISTA AND THE SAN DIEGO UNIFIED PORT DISTRICT FOR THE CHULA VISTA BAYFRONT FACILITIES FINANCING AUTHORITY; CONSENTING TO THE APPOINTMENT OF THE CITY ATTORNEY TO SERVE AS CO-COUNSEL TO SUCH AUTHORITY; AND APPOINTING A COUNCILMEMBER TO ITS GOVERNING BOARD

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.

Recommended Action: Council adopt the resolution.

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).

13. [19-0322](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): Three [3] Cases.

14. [19-0332](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)

Name of case: City of Chula Vista v. Douglas E. Barnhart, Inc., et al., San Diego Superior Court, Case No. 37-2016-00045312-CU-CD-CTL

ADJOURNMENT

to the special City Council meeting on July 9, 2019, at 5:00 p.m., in the Chula Vista Public Library-Civic Center Auditorium.

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 June 18, 2019, will approve the following final map: Chula Vista Tract 16-02, Otay Ranch Village 3 North CPF-1/MU-2, W.O. #OR3007F

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 Boushra Salem, Principal Civil Engineer at (619) 409-5483, or at bsalem@chulavistaca.gov.