



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, Acting City Clerk

Tuesday, July 11, 2017

5:00 PM

Council Chambers
276 4th Avenue, Building A
Chula Vista, CA 91910
Teleconferencing location:
Club Intra West, Room 20-1
1 Willow Ridge, Palm Desert, CA 92260

REGULAR MEETING OF THE CITY COUNCIL

REVISED 7/7/2017

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. 17-0294 OATHS OF OFFICE

Krista Burroughs, Planning Commission
Lorise Maynard, Cultural Arts Commission
Jon Milburn, Planning Commission
John Zarem, Parks & Recreation Commission

- B. [17-0262](#) PRESENTATION OF A PROCLAMATION TO RECREATION DIRECTOR KRISTI MCCLURE HUCKABY AND PUBLIC WORKS DIRECTOR RICHARD HOPKINS PROCLAIMING JULY 2017 AS PARKS AND RECREATION MONTH
- C. [17-0295](#) PRESENTATION BY CULTURAL ARTS MANAGER LYNNETTE TESSITORE OF JAZZ ON THIRD MUSIC FOR A CAUSE, AN EVENT-BASED CHARITY BENEFITING THE COMMUNITY OF CHULA VISTA
- D. [17-0299](#) PRESENTATION OF A PROCLAMATION TO ENCORE ORGANIZATION PROJECT COORDINATOR AIREEN NAVARRO KHAUV PROCLAIMING THURSDAY, JULY 13, 2017 AS SUMMER LEARNING DAY

**CONSENT CALENDAR (Items 1 - 9.5)**

*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. [17-0301](#) APPROVAL OF MINUTES of May 9, 2017.  
*Staff Recommendation:* Council approve the minutes.
2. [17-0293](#) WRITTEN COMMUNICATIONS
- A. Memorandum from Councilmember Diaz requesting an excused absence from the June 28, 2017 special city council meeting.
- B. Memorandum from Councilmember Aguilar requesting excused absences from the June 20, and June 28, 2017 council meetings.  
*Staff Recommendation:* Council excuse the absences.

3. [17-0280](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.05.010 RELATING TO THE ESTABLISHMENT OF UNCLASSIFIED POSITIONS TO ADD CONSTITUENT SERVICES REPRESENTATIVE (SECOND READING AND ADOPTION) (4/5THS VOTE REQUIRED)

*Department:* Finance 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 ordinance.

4. [17-0199](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA (1) APPROVING THE 2017/2018 ANNUAL ACTION PLAN FOR THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIP (HOME), AND THE EMERGENCY SOLUTIONS GRANT (ESG) PROGRAMS; (2) AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AGREEMENTS FOR THE MANAGEMENT AND IMPLEMENTATION OF ELIGIBLE PROJECTS WITH EACH SUBRECIPIENT IDENTIFIED IN THE ACTION PLAN; (3) AUTHORIZING THE CITY OF CHULA VISTA DEVELOPMENT SERVICES DEPARTMENT DIRECTOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE RECREATION AND PUBLIC WORKS DEPARTMENTS FOR THE IMPLEMENTATION OF FOUR CDBG-FUNDED PROJECTS; (4) AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY AND ALL HUD DOCUMENTS RELATED TO THE GRANTS; AND (5) APPROPRIATING FUNDS IN THE 2017/18 BUDGET THEREFOR (4/5 VOTE REQUIRED)

*Department:* Development Services Department

*Environmental Notice:* The Development Services Director has reviewed the proposed activities for compliance with the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA). The proposed activities, with the exception of six, are public services and 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 not for a site specific project(s) and will not result in a direct or indirect physical change in the environment.

The capital improvement projects are categorically excluded under NEPA pursuant to 24 CFR 58.35 (a)(1). This project is also exempt from CEQA pursuant to §15060(c)(3). The activity will not affect density or land use and will have no significant effect on the environment. Although environmental review is not necessary at this time, once an acquisition/rehabilitation or production of affordable housing project has been defined, environmental review will be required and a CEQA/NEPA determination completed prior to initiation of any related project activity.

*Staff Recommendation:* Council adopt the resolution.

5. [17-0213](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE THIRD AMENDMENT TO A MEMORANDUM OF UNDERSTANDING WITH THE SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) REGARDING AN ENVIRONMENTAL DOCUMENT FOR GRADE SEPARATIONS AND STATIONS TO THE LIGHT RAIL TROLLEY'S (LRT) BLUE LINE, AUTHORIZING THE CITY ATTORNEY TO MAKE SUCH NON-SUBSTANTIVE CHANGES DEEMED NECESSARY FOR THE BENEFIT OF THE CITY, AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE AGREEMENT

*Department:* Engineering Department

*Environmental Notice:* The Project qualifies for an Exemption pursuant to Section 15061(b) (3) of the California Environmental Quality Act State Guidelines.

*Staff Recommendation:* Council adopt the resolution.

6. [17-0263](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REIMBURSEMENT AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO AND THE CITY OF CHULA VISTA FOR THE CONSTRUCTION OF COUNTY IMPROVEMENTS INCORPORATED INTO THE "WILLOW STREET BRIDGE REPLACEMENT PROJECT (STL-261)"; APPROVING THE MAINTENANCE AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO AND THE CITY OF CHULA VISTA FOR THE MAINTENANCE OF IMPROVEMENTS ASSOCIATED WITH THE "WILLOW STREET BRIDGE REPLACEMENT PROJECT (STL-261)"; AND APPROPRIATING \$39,778 TO THE CAPITAL IMPROVEMENT FUND BASED ON REVENUE ASSOCIATED WITH SAID REIMBURSEMENT AGREEMENT TO STL-261 (4/5 VOTE REQUIRED)

**Department:** Engineering Department

**Environmental Notice:** The Project was adequately covered in previously adopted Final Mitigated Negative Declaration and associated Addenda 1, 2, and 3 for the Phase II - Willow Street Bridge Replacement Project and previously certified Categorical Exclusion pursuant to Code of Federal Regulations (CFR) Title 23, Section 771. Thus, no further California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) environmental review or determination is required.

**Staff Recommendation:** Council adopt the resolution.

7. [17-0266](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DECLARING THE REMAINING FUNDS IN REASSESSMENT DISTRICT NO. 2005-01 AS SURPLUS, ORDERING THE DISPOSITION OF SURPLUS AMOUNTS, APPROVING THE ASSESSMENT DISTRICT CLOSEOUT ANALYSIS AND FINDINGS REPORT PREPARED BY NBS FOR REASSESSMENT DISTRICT NO. 2005-1, APPROVING THE DISTRIBUTION OF \$533,079 OF REASSESSMENT DISTRICT NO. 2005-01 FUNDS FOR REFUNDING TO ELIGIBLE PROPERTY OWNERS, AMENDING THE FISCAL YEAR 2017/2018 OPERATING AND CIP BUDGET AND ESTABLISHING A NEW CIP PROJECT "RANCHO DEL REY PAVEMENT REHABILITATION (STL-429)" AND APPROPRIATING \$306,950 OF ASSESSMENT DISTRICT NO. 87-1/ ASSESSMENT DISTRICT NO. 88-2 IMPROVEMENT FUNDS TO CIP STL429 (4/5 VOTE REQUIRED)

**Department:** Engineering Department

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

**Staff Recommendation:** Council adopt the resolution.

8. [17-0241](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE CITY OF NATIONAL CITY TO PROVIDE ANIMAL SHELTER SERVICES

*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.

9. [17-0273](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2016/2017 OTHER GRANTS FUND BUDGET BY APPROPRIATING \$33,405 TO THE ANIMAL CARE FACILITY GRANT FOR UNANTICIPATED GRANTS AND DONATIONS (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.

- 9.5 [17-0304](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF CHULA VISTA AND THE WESTERN COUNCIL OF ENGINEERS (WCE), RELATED TO COMPENSATION AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AFOREMENTIONED MOU AND ANY ADDITIONAL DOCUMENTS WHICH MAY BE NECESSARY OR REQUIRED TO IMPLEMENT SAID MOU

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2017-2018 COMPENSATION SCHEDULE EFFECTIVE JULY 7, 2017, AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5, TO REFLECT SALARY ADJUSTMENTS FOR EMPLOYEES IN THE WESTERN COUNCIL OF ENGINEERS (“WCE”) BARGAINING UNIT

*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 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.*

10. [17-0286](#) CONSIDERATION OF AMENDING CHAPTER 10 (BUILDING), CHAPTER 11 (ENGINEERING), CHAPTER 14 (PLANNING), AND CHAPTER 15 (FIRE) OF THE CITY’S MASTER FEE SCHEDULE

A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CITY COUNCIL POLICY 159 -03 (CITYWIDE COST RECOVERY POLICY)

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CERTAIN SECTIONS OF CHAPTER 10 (BUILDING) OF THE CITY’S MASTER FEE SCHEDULE

C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CERTAIN SECTIONS OF CHAPTER 11 (ENGINEERING) OF THE CITY'S MASTER FEE SCHEDULE

D. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CERTAIN SECTIONS OF CHAPTER 14 (PLANNING) OF THE CITY'S MASTER FEE SCHEDULE

E. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CERTAIN SECTIONS OF CHAPTER 15 (FIRE) OF THE CITY'S MASTER FEE SCHEDULE

F. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE AUTHORIZED POSITION COUNT FOR THE DEVELOPMENT SERVICES FUND TO REFLECT THE ADDITION OF 1.0 DEVELOPMENT SERVICES TECHNICIAN III POSITION, 1.0 DEVELOPMENT SERVICES TECHNICIAN II POSITION, AND 1.0 SENIOR PLANNER POSITION AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

G. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT TO PROVIDE SOFTWARE UPGRADE, LICENSING, SUPPORT, AND MAINTENANCE SERVICES BETWEEN THE CITY AND SELECTRON TECHNOLOGIES, INC., AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

**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 conduct the public hearing and adopt the resolutions.



11. [17-0103](#) CONSIDERATION OF TESTIMONY FOR THE FISCAL YEAR 2017/2018 LEVY OF ASSESSMENTS AND COLLECTION AGAINST THOSE ASSESSMENTS FOR CERTAIN OPEN SPACE AND MAINTENANCE DISTRICTS
- A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2017/2018 FOR OPEN SPACE DISTRICTS 2 THROUGH 7, 11, 14, 15, 17, 18, 20 (ZONES 1 THROUGH 6, 8, AND 9), 23, 24, 26, 31, 33, EASTLAKE MAINTENANCE DISTRICT NO 1 (ZONES A, B, D, AND E), AND BAY BOULEVARD MAINTENANCE DISTRICT
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2017/2018 FOR OPEN SPACE MAINTENANCE DISTRICT 9, 10 AND TOWN CENTRE MAINTENANCE DISTRICT
- C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2017/2018 FOR OPEN SPACE DISTRICT 8
- D. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2017/2018 FOR OPEN SPACE DISTRICT 20 (ZONE 7)
- E. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2017/2018 FOR OPEN SPACE DISTRICT 1

F. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2017/2018 FOR EASTLAKE MAINTENANCE DISTRICT 1 (ZONE C)

*Department:* Finance 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 conduct the public hearing and adopt the resolutions.

## 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.*

12. [17-0086](#) CONSIDERATION OF AWARDING A CONTRACT TO JUST CONSTRUCTION, INC. FOR THE CONSTRUCTION OF ADA CURB RAMPS AND REPLACEMENT OF THE CURB AND GUTTER CITYWIDE PROJECTS PROGRAM

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS; AWARDING A CONTRACT FOR THE CONSTRUCTION OF ADA CURB RAMPS FY2014/2015 (STL405), ADA CURB RAMPS FY2016/2017 (STL415), AND REPLACEMENT OF THE CURB AND GUTTER PROGRAM CITYWIDE FY2015/16 (STL407) PROJECTS TO JUST CONSTRUCTION, INC., IN THE AMOUNT OF \$783,996; APPROPRIATING \$50,000 FROM THE AVAILABLE BALANCE OF THE TRAFFIC SIGNAL FUND TO STL405; AND APPROPRIATING \$150,000 IN TRANSNET FUNDS FROM STL424 TO STL405 (4/5 VOTE REQUIRED)

*Department:* Engineering 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) and/or Section 15304 Class 4 (Minor Alterations to Land).

*Staff Recommendation:* Council adopt the resolution.

## CITY MANAGER'S REPORTS

**MAYOR'S REPORTS**

13. [17-0258](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE 2017-18 LEGISLATIVE PROGRAM  
Recommended Action: Council adopt the resolution.
14. [17-0287](#) APPOINTMENT OF CITY COUNCILMEMBERS TO OUTSIDE AGENCY:  
- Interagency Water Task Force
15. [17-0305](#) DISCUSSION OF FORM OF COOPERATIVE RELATIONSHIP WITH THE GOVERNING BOARD OF SOUTHWESTERN COMMUNITY COLLEGE DISTRICT FOR DEVELOPMENT OF A UNIVERSITY PROJECT IN CHULA VISTA, AND CONSIDERATION AND POSSIBLE ACTION TO FORM A COUNCIL SUBCOMMITTEE OR OTHER MECHANISM TO IMPLEMENT THIS COOPERATIVE RELATIONSHIP

**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).*

16. [17-0288](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54956.8

Property: Assessors Parcel Number (APN) 643-06-57-00

Agency Negotiators: Gary Halbert and Eric Crockett

Negotiating Parties: City of Chula Vista and Chesnut Properties

Under Negotiation: Price and Terms of Payment for Acquisition and Leaseback

**ADJOURNMENT**

*to the Regular City Council Meeting on July 25, 2017, 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.*

*Sign up at [www.chulavistaca.gov](http://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 July 11, 2017, will approve the following final map:*

*Chula Vista Tract Numbers 12-05 and PCS 16-0006, Otay Ranch Village 2 South Neighborhoods R-18A(C), R-21A, and Portions of R-19B, R-20, and R-21B.*

*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 Christopher Bauer at (619) 476-2557.*