



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, December 15, 2015

5:00 PM

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

SPECIAL MEETING OF THE
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
MEETING JOINTLY WITH THE CITY COUNCIL OF THE CITY OF CHULA VISTA

REVISED December 11, 2015

Notice is hereby given that the Mayor of the City of Chula Vista has called and will convene a Special Meeting of the Successor Agency to the Redevelopment Agency meeting jointly with the City Council on Tuesday, December 15, 2015, at 5:00 p.m. in Council Chambers, located at 276 Fourth Avenue, Building A, Chula Vista, California to consider the items on this agenda.

CALL TO ORDER

ROLL CALL:

Councilmembers Aguilar, Bensoussan, McCann, Miesen and Mayor Salas

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

SPECIAL ORDERS OF THE DAY

- A. 15-0642 PRESENTATION OF A PLAQUE FROM KIDS 4 OUR WORLD INTERNATIONAL AMBASSADORS TO THE CITY OF CHULA VISTA IN APPRECIATION OF ITS SUPPORT OF THE CENTRAL AMERICA ENVIRONMENTAL AND CULTURAL EXCHANGE PROJECT

- B. [15-0670](#) PRESENTATION OF A PROCLAMATION COMMENDING ROY OSCAR FRANZEN, JR. FOR HIS OUTSTANDING AND CONTINUOUS SUPPORT OF THE CHULA VISTA FIRE DEPARTMENT
- C. [15-0663](#) EMPLOYEE SERVICE RECOGNITION HONORING STAFF WITH MILESTONE SERVICE ANNIVERSARIES

CONSENT CALENDAR (Items 1 - 12.5)

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. [15-0666](#) APPROVAL OF MINUTES of December 8, 2015.
Staff Recommendation: Council approve the minutes.
2. [15-0665](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING TITLE 10, VEHICLES AND TRAFFIC, BY ADDING CHAPTER 10.52.495, PARKING OF RECREATIONAL VEHICLES PROHIBITED ON CITY STREETS EXCEPT BY PERMIT, TO THE CHULA VISTA MUNICIPAL CODE (SECOND READING AND ADOPTION)
Department: Public Works Department
Staff Recommendation: Council adopt the ordinance.
3. [15-0561](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A 5-YEAR LOCAL GOVERNMENT PARTNERSHIP AGREEMENT WITH SAN DIEGO GAS & ELECTRIC TO PROVIDE ENERGY EFFICIENCY PROGRAMS AND APPROPRIATING \$1,563,585 TO THE ENERGY CONSERVATION FUND (4/5 VOTE REQUIRED)
Department: Public Works Department
Staff Recommendation: Council adopt the resolution.

4. [15-0584](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE REPLACEMENT OF ONE (1) VEHICLE FOR THE OPEN SPACE INSPECTION PROGRAM AND APPROPRIATING \$50,000 TO THE EQUIPMENT VEHICLE REPLACEMENT FUND FOR THE PURCHASE OF SUCH A VEHICLE (4/5 VOTE REQUIRED)

Department: Public Works Department

Staff Recommendation: Council adopt the resolution.

5. [15-0594](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2015/2016 CIP BUDGET TO ESTABLISH A NEW CAPITAL IMPROVEMENT PROJECT, "F STREET PROMENADE STUDY (STL-412)", AND APPROPRIATING \$491,000 IN ACTIVE TRANSPORTATION PROGRAM GRANT FUNDS AND \$27,345 IN MATCHING FUNDS FROM THE AVAILABLE BALANCE OF THE TRANSNET FUND (4/5 VOTE REQUIRED)

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROPRIATING \$30,000 FROM THE AVAILABLE BALANCE OF THE TRANSNET FUND TO CAPITAL IMPROVEMENT PROJECT "BIKE LANES ON BROADWAY FEASIBILITY STUDY (STM-384)" (4/5 VOTE REQUIRED)

Department: Public Works Department

Staff Recommendation: Council adopt the resolutions.

6. [15-0422](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE COMPENSATION SCHEDULE AND CLASSIFICATION PLAN TO REFLECT THE ADDITION AND REMOVAL OF VARIOUS POSITION TITLES, AMENDING THE AUTHORIZED POSITION COUNT IN VARIOUS DEPARTMENTS WITH NO NET CHANGE IN AUTHORIZED STAFFING, AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2015/2016 COMPENSATION SCHEDULE EFFECTIVE DECEMBER 25, 2015 AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5

C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2015/2016 COMPENSATION SCHEDULE EFFECTIVE JANUARY 8, 2016 AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5

D. 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 CHIEF SUSTAINABILITY OFFICER (FIRST READING) (4/5 VOTE REQUIRED)

Department: Human Resources Department

Staff Recommendation: Council adopt the resolutions and place the ordinance on first reading.

7. [15-0549](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING GUIDELINES TO THE BALANCED COMMUNITIES (“INCLUSIONARY HOUSING”) POLICY

Department: Development Services Department

Staff Recommendation: Council adopt the resolution.

8. [15-0627](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ADVANCE DEPOSIT AND REIMBURSEMENT AGREEMENT FOR COMMUNITY FACILITIES DISTRICT NO. 16-I (MILLENIA) BETWEEN THE CITY AND SLF IV-MILLENIA, LLC AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

Department: Finance & Development Services Departments

Staff Recommendation: Council adopt the resolution.

9. [15-0626](#) INVESTMENT REPORT FOR THE QUARTER ENDED SEPTEMBER 30, 2015
Department: Finance Department
Staff Recommendation: Council accept the report.
10. [15-0563](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE MILLS ACT AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE PROPERTY OWNERS OF 88 K STREET, HISTORIC SITE #102, AND AUTHORIZING THE MAYOR TO SIGN SAID AGREEMENT
Department: Economic Development Department
Staff Recommendation: Council adopt the resolution.
11. [15-0636](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CHULA VISTA AND THE CITY OF NATIONAL CITY FOR EXPANSION OF THE FREE RESOURCE AND ENERGY BUSINESS EVALUATION PROGRAM (FREBE)
Department: Economic Development Department
Staff Recommendation: Council adopt the resolution.
12. [15-0651](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROPRIATING \$460,000 TO THE NON-DEPARTMENTAL SUPPLIES AND SERVICES BUDGET FOR UNANTICIPATED ATTORNEY SERVICES EXPENSES (4/5 VOTE REQUIRED)
Department: City Attorney
Staff Recommendation: Council adopt the resolution.
- 12.5 [15-0668](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AWARDED A CONTRACT FOR THE "ROOF REPLACEMENT AT CHULA VISTA PARKWAY GYMNASIUM AND POOL" (PR317) PROJECT TO ROOF CONSTRUCTION IN THE AMOUNT OF \$162,649 AND AUTHORIZING THE EXPENDITURE OF ALL AVAILABLE CONTINGENCY FUNDS IN AN AMOUNT NOT TO EXCEED \$24,400

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROPRIATING \$23,400 OF HOUSING RELATED PARK GRANT FUNDS TO PR317 (4/5 VOTE REQUIRED)

Department: Public Works Department

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 Public Hearing items are time certain for 6:30 p.m.

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.

13. [15-0617](#) PRESENTATION OF THE 2014/2015 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) 2016/2017 PROGRAM

Department: Development Services Department

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

14. [15-0417](#) CONSIDERATION OF ADOPTION OF AN ORDINANCE AMENDING ORDINANCE NO. 3064 RELATING TO THE PEDESTRIAN BRIDGE DEVELOPMENT IMPACT FEE PROGRAM FOR OTAY RANCH VILLAGES ONE, TWO, FIVE AND SIX

A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING A REPORT PREPARED BY DEVELOPMENT PLANNING AND FINANCING GROUP RECOMMENDING AN UPDATE OF THE EXISTING PEDESTRIAN BRIDGE DEVELOPMENT IMPACT FEE FOR OTAY RANCH VILLAGES ONE, TWO, FIVE, AND SIX AND AMENDING CHAPTER 16 (DEVELOPMENT AND IN-LIEU FEES) OF THE CITY'S MASTER FEE SCHEDULE

B. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING ORDINANCE NO. 3064 RELATING TO A PEDESTRIAN BRIDGE DEVELOPMENT IMPACT FEE FOR OTAY RANCH VILLAGES ONE, TWO, FIVE, AND SIX RELATING TO THE ANNUAL REVIEW AND ADJUSTMENT OF FEES (FIRST READING)

Department: Development Services Department

Staff Recommendation: Council conduct the public hearing, adopt the resolution and place the ordinance on first reading.

15. [15-0658](#) CONSIDERATION OF APPROVING THE DEVELOPMENT AND OPERATION OF A CHULA VISTA BMW DEALERSHIP

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN OWNER PARTICIPATION AGREEMENT BETWEEN THE CITY AND SUNROAD BCV HOLDING, INC. OR AN AFFILIATE; MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH; AND AUTHORIZING THE EXECUTION AND IMPLEMENTATION OF SAID OWNER PARTICIPATION AGREEMENT

Department: Development Services Department

Staff Recommendation: 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.

16. [15-0619](#) CONSIDERATION OF APPROVAL OF PURCHASE AND SALE AGREEMENTS TO SELL PARCELS

A. RESOLUTION OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA APPROVING A PURCHASE AND SALE AGREEMENT WITH MV PROPERTIES, INC. TO SELL ASSESSOR PARCEL NOS. 568-334-05, 568-334-06, 568-334-07, AND 568-334-08 FOR \$425,000.00

B. RESOLUTION OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA APPROVING A PURCHASE AND SALE AGREEMENT WITH AMELIA, LLC TO SELL ASSESSOR PARCEL NOS. 568-351-04 AND 568-351-05 FOR \$245,000.00

Department: Economic Development Department

Staff Recommendation: Agency adopt the resolutions.

CITY MANAGER'S REPORTS

MAYOR'S REPORTS

17. [15-0629](#) APPOINTMENT OF CITY COUNCILMEMBERS TO OUTSIDE AGENCIES:

· SAN DIEGO ASSOCIATION OF GOVERNMENT (SANDAG) BOARD OF DIRECTORS - MEMBER

· SAN DIEGO ASSOCIATION OF GOVERNMENT (SANDAG) BOARD OF DIRECTORS - ALTERNATE

18. [15-0667](#) SELECTION OF DATE AND TIME OF OPEN MEETING OR MEETINGS TO CONDUCT INTERVIEWS OF ALL APPLICANTS FOR THE GROWTH MANAGEMENT OVERSIGHT COMMISSION'S SOUTHEAST AND SOUTHWEST TERRITORY REPRESENTATIVE SEATS, AND THE APPLICANTS FOR THE GROWTH MANAGEMENT OVERSIGHT COMMISSION EDUCATION REPRESENTATIVE SEAT AND CIVIL SERVICE COMMISSION WHO RECEIVED TWO OR MORE NOMINATIONS AT THE MEETING OF NOVEMBER 10, 2015

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).

19. [15-0661](#) A. CONFERENCE WITH LEGAL COUNSEL-
-ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4)

One case involving consideration of a petition to the State Water Resources Control Board in connection with San Diego Regional Water Quality Control Board Order R9-2015-0100 (Regional MS4 Permit).

- B. CONFERENCE WITH LEGAL COUNSEL-
-ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4)

One case.

20. [15-0662](#) CONFERENCE WITH LEGAL COUNSEL REGARDING
EXISTING LITIGATION PURSUANT TO GOVERNMENT
CODE SECTION 54956.9 (a)

Name of case: Chris Shilling, et al. v. City of Chula Vista,
San Diego Superior Court, Case No.
37-2015-00006097-CU-MC-CTL

ADJOURNMENT

to the Regular City Council Meeting on January 5, 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 A 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 December 15, 2015, will approve the following final map:

"Otay Ranch Millenia Phase 2" (Chula Vista Tract No. 09-03), located at the southwesterly corner of Birch Road and Eastlake Parkway,

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.