



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, November 19, 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. [19-0520](#) PRESENTATION AND SPECIAL RECOGNITION OF EASTLAKE CHURCH FOR ITS "I HEART CHULA VISTA" COMMUNITY SERVICE WEEKEND IN THE CITY OF CHULA VISTA

- B. [19-0539](#) PRESENTATION OF A PROCLAMATION PROCLAIMING NOVEMBER 30, 2019 AS SMALL BUSINESS SATURDAY IN THE CITY OF CHULA VISTA

CONSENT CALENDAR (Items 1 - 3)

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. [19-0541](#)
 - A. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.08 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA BUILDING CODE, 2019 EDITION (SECOND READING AND ADOPTION)
 - B. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.09 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA RESIDENTIAL CODE, 2019 EDITION (SECOND READING AND ADOPTION)
 - C. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.10 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA REFERENCED STANDARDS CODE, 2019 EDITION (SECOND READING AND ADOPTION)
 - D. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.12 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2019 EDITION (SECOND READING AND ADOPTION)
 - E. ORDINANCE OF THE CITY OF CHULA VISTA ADOPTING CHAPTER 15.14 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA EXISTING BUILDING CODE, 2019 EDITION (SECOND READING AND ADOPTION)

F. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.16 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA MECHANICAL CODE, 2019 EDITION (SECOND READING AND ADOPTION)

G. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.24 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA ELECTRICAL CODE, 2019 EDITION (SECOND READING AND ADOPTION)

H. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.26 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA ENERGY CODE, 2019 EDITION (SECOND READING AND ADOPTION)

I. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.28 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA PLUMBING CODE, 2019 EDITION (SECOND READING AND ADOPTION)

J. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.36 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA FIRE CODE, 2019 EDITION (SECOND READING AND ADOPTION)

Department: Development Services 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. Notwithstanding the foregoing, the Project also qualifies for an Exemption pursuant to Section 15061(b)(3) of the California Environmental Quality Act State Guidelines.

Recommended Action: Council adopt the ordinances.

2. [19-0458](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A FIRST AMENDMENT TO THE TREE MAINTENANCE SERVICES AGREEMENT BETWEEN THE CITY AND WEST COAST ARBORIST, INC FOR ADDITIONAL CITY-WIDE TREE MAINTENANCE SERVICES

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 resolution.

3. [19-0507](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS, WAIVING BID IRREGULARITIES, AND AWARDING THE CONTRACT FOR THE COMBINED ADVERTISEMENT OF THE “RMRA MAJOR PAVEMENT REHABILITATION FISCAL YEAR 2018/19 (STM0396)” AND “ORANGE PARK PARKING LOT IMPROVEMENTS (PRK0335)” PROJECTS TO EAGLE PAVING COMPANY INC.

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), Section 15302 Class 2 (Replacement or Reconstruction), and Section 15303 class 3 (New Construction or Conversion of Small Structures).

Recommended Action: 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.

4. [19-0385](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING MUNICIPAL CODE CHAPTER 14.18, FLOODPLAIN REGULATIONS, TO INCORPORATE VARIOUS ADMINISTRATIVE REVISIONS NECESSARY FOR THE CITY TO REMAIN IN COMPLIANCE WITH THE CODE OF FEDERAL REGULATIONS AND REMAIN IN THE NATIONAL FLOOD INSURANCE PROGRAM (FIRST READING)

Department: Engineering 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 conduct the public hearing and place the ordinance on first reading.
5. [19-0512](#) RESOLUTION OF NECESSITY OF THE CITY OF CHULA VISTA TO ACQUIRE CERTAIN REAL PROPERTY OR INTEREST IN REAL PROPERTY BY EMINENT DOMAIN FOR E STREET EXTENSION AND TEMPORARY ACCESS FOR CONSTRUCTION OF ROAD AND WALL (4/5 VOTE REQUIRED)

(This item was continued from 10/22/2019.)

Department: Economic Development Department

Environmental Notice: The Project was adequately covered in previously certified Final Environmental Impact Report UPD#83356-EIR-658/SCH#2005081077 for the Chula Vista Bayfront Master Plan.

Recommended Action: Council conduct the public hearing and adopt the resolution.
6. [19-0440](#) CONSIDERATION OF DESIGNATING AND SETTING ASIDE CERTAIN CITY-OWNED REAL PROPERTY CURRENTLY KNOWN AS MOSS STREET, ALPINE AVENUE, AND NAPLES STREET FOR FIRE STATION PURPOSES

A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DESIGNATING AND SETTING ASIDE CERTAIN CITY-OWNED REAL PROPERTY CURRENTLY KNOWN AS MOSS STREET FOR FIRE STATION PURPOSES

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DESIGNATING AND SETTING ASIDE CERTAIN CITY-OWNED REAL PROPERTY CURRENTLY KNOWN AS ALPINE AVENUE FOR FIRE STATION PURPOSES

C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DESIGNATING AND SETTING ASIDE CERTAIN CITY-OWNED REAL PROPERTY CURRENTLY KNOWN AS NAPLES STREET FOR FIRE STATION PURPOSES

D. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING REAL PROPERTY AGREEMENTS WITH MR. ALDO MORENO, MR. PAUL ARREDONDO, AND SAN DIEGO COUNTRY CLUB, INC.

E. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REMOVAL OF STOP CONTROL ON THE NAPLES STREET APPROACHES AT THE INTERSECTION OF NAPLES STREET AND FIRST AVENUE AND TO ACCORDINGLY AMEND SCHEDULE II OF THE REGISTER MAINTAINED IN THE OFFICE OF THE CITY ENGINEER

Department: Engineering 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 Section 15332 Class 32 (In-Fill Development Projects).

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

7. [19-0538](#) CONSOLIDATED PUBLIC HEARING TO CONSIDER FORMATION OF THE CHULA VISTA BAYFRONT PROJECT SPECIAL TAX FINANCING DISTRICT AND TO INCUR A BONDED INDEBTEDNESS OF SUCH DISTRICT AND ASSOCIATED ACTIONS
- A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AMENDED AND RESTATED REVENUE SHARING AGREEMENT BY AND BETWEEN THE CITY OF CHULA VISTA AND THE SAN DIEGO UNIFIED PORT DISTRICT (CHULA VISTA BAYFRONT RESORT HOTEL AND CONVENTION CENTER AND RELATED PUBLIC INFRASTRUCTURE)
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A JOINT COMMUNITY FACILITIES AGREEMENT BY AND BETWEEN THE CITY OF CHULA VISTA AND THE SAN DIEGO UNIFIED PORT DISTRICT (CHULA VISTA BAYFRONT PROJECT SPECIAL TAX FINANCING DISTRICT)
- C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA FORMING AND ESTABLISHING THE BAYFRONT PROJECT SPECIAL TAX FINANCING DISTRICT AND AUTHORIZING SUBMITTAL OF THE LEVY OF SPECIAL TAX WITHIN THE BAYFRONT PROJECT SPECIAL TAX FINANCING DISTRICT TO THE QUALIFIED ELECTORS OF SUCH DISTRICT
- D. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA, ACTING AS THE LEGISLATIVE BODY OF THE BAYFRONT PROJECT SPECIAL TAX FINANCING DISTRICT, DEEMING IT NECESSARY TO INCUR A BONDED INDEBTEDNESS OF SUCH DISTRICT

E. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA, ACTING AS THE LEGISLATIVE BODY OF THE BAYFRONT PROJECT SPECIAL TAX FINANCING DISTRICT, CALLING A SPECIAL MAIL BALLOT ELECTION AND SUBMITTING TO THE QUALIFIED ELECTORS OF SUCH DISTRICT SEPARATE PROPOSITIONS TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN, TO AUTHORIZE SUCH DISTRICT TO INCUR A BONDED INDEBTEDNESS SECURED BY THE LEVY OF SPECIAL TAXES THEREIN AND TO ESTABLISH AN APPROPRIATIONS LIMIT FOR SUCH DISTRICT
(This item was continued from 11/05/2019.)

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. Notwithstanding the foregoing, the Project was adequately covered in previously certified Environmental Impact Report UPD#83356-EIR-658/SCH# 2005081077.

Recommended Action: 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.

8. [19-0502](#) PRESENTATION ON THE UTILITY UNDERGROUNDING PROGRAM

Department: Engineering 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 hear the presentation and provide feedback as appropriate.

9. [19-0466](#) A. QUARTERLY FINANCIAL REPORT FOR THE QUARTER ENDING SEPTEMBER 30, 2019

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING VARIOUS AMENDMENTS TO THE FISCAL YEAR 2019/20 BUDGET TO ADJUST FOR VARIANCES AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2019/20 CIP PROGRAM BUDGET BY ESTABLISHING A NEW CIP PROJECT, SWR0317 "BAYFRONT RV LLC SEWER IMPROVEMENTS"; AND APPROPRIATING \$390,000 FROM THE AVAILABLE BALANCE OF THE SEWER INCOME FUND TO SWR0317 THEREFOR (4/5 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.

Recommended Action: Council receive the report and adopt the resolutions.

CITY MANAGER'S REPORTS

MAYOR'S REPORTS

COUNCILMEMBERS' COMMENTS

CITY ATTORNEY'S REPORTS

10. [19-0517](#) REPORT ON STATE LAW SB 922 (SUPPORTING PROJECT LABOR AGREEMENTS) AND CHULA VISTA MUNICIPAL CODE CHAPTER 2.59, "FAIR AND OPEN COMPETITION IN CONTRACTING" PROHIBITING PROJECT LABOR AGREEMENTS, AND POSSIBLE BALLOT INITIATIVE OPTIONS TO ADDRESS LEGAL INCONSISTENCIES BETWEEN THE TWO
(This item was continued from 11/12/2019.)

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).

11. [19-0544](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS
PURSUANT TO CALIFORNIA GOVERNMENT CODE
SECTION 54956.8

Property: Assessor Parcel Number (APN) 643-060-57-00
1755-85 Millenia Avenue, Chula Vista, CA 91915

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

ADJOURNMENT

to the regular City Council meeting on December 3, 2019, 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.

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