



CITY COUNCIL AGENDA STATEMENT



May 26, 2020

File ID: 20-0220

TITLE

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA RATIFYING AND CONFIRMING EMERGENCY ORDER 004-2020 (EFFECTIVE MAY 22, 2020) OF THE CHULA VISTA DIRECTOR OF EMERGENCY SERVICES TOLLING AND EXTENDING LAND USE AND BUILDING-PERMIT RELATED ACTIONS FOR 180 DAYS

RECOMMENDED ACTION

Council adopt the resolution.

SUMMARY

This proposed resolution ratifies and confirms Emergency Order 004-2020 issued by the Chula Vista Director of Emergency Services, in accordance with Chula Vista Municipal Code section 2.14.080(F)(1).

ENVIRONMENTAL REVIEW

The proposed resolution ratifying and confirming Emergency Order 004-2020 has been reviewed for compliance with the California Environmental Quality Act (CEQA) and it has been determined that the activity is not a "Project" as defined under Section 15378 of the state CEQA Guidelines because it will not result in a physical change in the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Notwithstanding the foregoing, it has also been determined that the activity qualifies for an Exemption pursuant to Section 15061(b)(3) of the California Environmental Quality Act State Guidelines. Thus, no environmental review is required.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable.

DISCUSSION

On March 17, 2020, the Chula Vista City Council, pursuant to Resolution No. 2020-065, adopted and ratified a Proclamation declaring a Local Emergency issued by the Chula Vista Director of Emergency Services ("Emergency Director"). The Proclamation was issued as a result of the worldwide COVID-19 pandemic, which continues to directly impact the State of California, County of San Diego, and City of Chula Vista. Since March, despite sustained efforts, the number of cases in the County of San Diego and particularly, the South Bay region that includes the City of Chula Vista, continues to rise. As of May 21, 2020, the total number of County cases involving residents of Chula Vista has risen to 930 persons, 14.9% of the County's total cases.

During this unprecedented time, the City remains committed to protecting the public health of the residents of and visitors to Chula Vista and to utilizing City resources to respond to the COVID-19 pandemic and the associated ongoing threat to public safety. Due to the restrictions inherent in the State and County stay at home orders, and the related diversion of resources to address this continuing emergency, the Director of Development Services has determined that it is appropriate to toll and extend various land use and building-permit related deadlines. As a result, on May 21, 2020, the Emergency Director issued Emergency Order 004-2020 (effective May 22, 2020). This Order tolls and extends for 180 days specified land use and building-permit related actions, such as deadlines to review or take action on land use entitlements, permits, and approvals; deadlines to exercise and continually pursue rights granted under land use entitlements, permits, and approvals; deadlines to review and approve building permit applications and plan approvals; and deadlines for the expiration of building permits and plan approvals. These tolling provisions do not apply to deadlines for complying with code enforcement orders for life safety corrections.

Pursuant to Chula Vista Municipal Code section 2.14.080(F)(1), rules and regulations issued by the Emergency Director must be confirmed by the City Council at the earliest practicable time.

DECISION-MAKER CONFLICT

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the real property holdings of the City Council members do not create a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.).

Staff is not independently aware, and has not been informed by any City Council member, of any other fact that may constitute a basis for decision-maker conflict of interest in this matter.

CURRENT-YEAR FISCAL IMPACT

The COVID-19 pandemic creates a wide range of potential fiscal impacts to the City; however, the subject resolution to ratify and confirm Emergency Order 004-2020 is unlikely to contribute in any significant way to such current-year fiscal impacts. Staff is evaluating the broader fiscal impact of the current public health crisis, and a comprehensive report will be presented to council in the future.

ONGOING FISCAL IMPACT

The COVID-19 pandemic creates a wide range of potential fiscal impacts to the City; however, the subject resolution to ratify and confirm Emergency Order 004-2020 is unlikely to contribute in any significant way to such ongoing fiscal impacts. Staff is evaluating the broader fiscal impact of the current public health crisis, and a comprehensive report will be presented to council in the future.

ATTACHMENTS

1. Resolution
2. Attachment A: Emergency Order No. 004-2020

Staff Contact: Gary Halbert; Glen Googins; Kelly Broughton