



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, September 10, 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. 19-0280 PRESENTATION OF THE SANDAG BIG VISION AND 5 BIG MOVES FOR THE 2021 REGIONAL PLAN UPDATE BY EXECUTIVE DIRECTOR HASAN IKHRATA AND SPECIAL PROJECTS DIRECTOR COLEEN CLEMENTSON
B. 19-0418 PRESENTATION BY METROPOLITAN TRANSIT SYSTEM (MTS) MARKETING SPECIALIST MARCIAL GUTIERREZ DECLARING OCTOBER 2, 2019 RIDE FREE DAY ON MTS TRANSIT SYSTEM
C. 19-0423 PRESENTATION OF A PROCLAMATION PROCLAIMING SEPTEMBER 2019 AS NATIONAL CHILDHOOD OBESITY AND HUNGER AWARENESS MONTH IN THE CITY OF CHULA VISTA

- D. [19-0427](#) PRESENTATION OF A PROCLAMATION PROCLAIMING SEPTEMBER 13 THROUGH SEPTEMBER 22, 2019 AS WELCOMING WEEK IN THE CITY OF CHULA VISTA
- E. [19-0443](#) PRESENTATION OF A PROCLAMATION PROCLAIMING SEPTEMBER 2019 AS NATIONAL PREPAREDNESS MONTH IN THE CITY OF CHULA VISTA

**CONSENT CALENDAR (Items 1 - 11)**

*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. [19-0444](#) APPROVAL OF MINUTES of April 9, 2019.  
*Recommended Action:* Council approve the minutes.
2. [19-0392](#) ORDINANCE OF THE CITY OF CHULA VISTA REPEALING ORDINANCE NO. 2384 RELATING TO THE ESTABLISHMENT OF THE TELEGRAPH CANYON DRAINAGE DEVELOPMENT IMPACT FEE (SECOND READING AND ADOPTION)  
This item was continued from August 6, 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. In addition, 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 ordinance.
3. [18-0528](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING A MAP SHOWING THE BOUNDARIES OF THE TERRITORY PROPOSED TO BE INCLUDED IN THE BAYFRONT PROJECT SPECIAL TAX FINANCING DISTRICT

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DECLARING ITS INTENTION TO ESTABLISH THE BAYFRONT PROJECT SPECIAL TAX FINANCING DISTRICT AND TO AUTHORIZE THE LEVY OF A SPECIAL TAX THEREIN TO FINANCE PUBLIC AND PRIVATE IMPROVEMENTS, AND MAINTENANCE AND SERVICES

C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DECLARING THE NECESSITY TO INCUR A BONDED INDEBTEDNESS OF THE BAYFRONT PROJECT SPECIAL TAX FINANCING DISTRICT TO BE SECURED BY SPECIAL TAXES LEVIED WITHIN SUCH DISTRICT TO FINANCE PUBLIC AND PRIVATE IMPROVEMENTS

*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 resolutions.

4. [19-0414](#)

A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA (1) APPROVING A REIMBURSEMENT AGREEMENT BETWEEN THE CITY AND RIDA CHULA VISTA, LLC ("DEVELOPER") TO CONSTRUCT SPECIFIED SEWER IMPROVEMENTS; (2) FINDING THE DEVELOPER'S PROPOSED SOLE SOURCE AWARD TO ITS GENERAL CONTRACTOR TO CONSTRUCT SUCH IMPROVEMENTS TO BE IN THE BEST INTEREST OF THE PUBLIC, PURSUANT TO CHULA VISTA MUNICIPAL CODE SUBSECTION 2.56.160(H), "DEVELOPER-PERFORMED PUBLIC WORKS"; (3) DELEGATING TO THE CITY MANAGER AUTHORITY TO ASSURE COMPLIANCE WITH APPLICABLE PROCUREMENT REQUIREMENTS FOR SUBCONTRACTORS; AND (4) APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A REIMBURSEMENT AGREEMENT BETWEEN THE CITY AND RIDA CHULA VISTA, LLC TO DESIGN SPECIFIED BAYFRONT INFRASTRUCTURE IMPROVEMENTS AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA FINDING RIDA CHULA VISTA, LLC'S PROPOSED SOLE SOURCE AWARD TO ITS GENERAL CONTRACTOR TO CONSTRUCT BAYFRONT DEVELOPMENT IMPACT FEE TRANSPORTATION FACILITIES TO BE IN THE BEST INTEREST OF THE PUBLIC, PURSUANT TO CHULA VISTA MUNICIPAL CODE SUBSECTION 2.56.160(H), "DEVELOPER-PERFORMED PUBLIC WORKS," AND DELEGATING TO THE CITY MANAGER AUTHORITY TO ASSURE COMPLIANCE WITH APPLICABLE PROCUREMENT REQUIREMENTS FOR SUBCONTRACTORS

This item was continued from August 13, 2019.

*Department:* Development Services Department

*Environmental Notice:* The Project was adequately covered in previously adopted Environmental Impact Report UPD# 83356-EIR-65B/ SCH#20005081077.

*Recommended Action:* Council adopt the resolutions.

5. [19-0432](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AMENDED AND RESTATED AGREEMENT AND ASSOCIATED DOCUMENTS MEMORIALIZING A STATE DENSITY BONUS PURSUANT TO GOVERNMENT CODE SECTION 65915 ET SEQ. BETWEEN THE CITY AND HAMILTON PLAZA LTD, INCLUDING ALLOWING THE RENTAL OF DWELLING UNITS AT AN AFFORDABLE RENT UNTIL THEY ARE SOLD AT AN AFFORDABLE SALES PRICE AT KINGSWOOD MANOR

**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 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.

6. [19-0399](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE PERFORMING AND VISUAL ARTS GRANT REVIEW PANEL'S AWARD RECOMMENDATIONS FOR FISCAL YEAR 2019/20 WITH A TOTAL MONETARY GRANT AWARD FOR THIS FISCAL YEAR TOTALING \$80,390

**Department:** Community 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 15060(c)(3) no environmental review is required.

**Recommended Action:** Council adopt the resolution.

7. [19-0416](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS; AWARDED THE CONTRACT FOR THE COMBINED ADVERTISEMENT OF THE "SEWER ACCESS ROAD REHABILITATION FOR FISCAL YEAR 2013/14 (CIP# SWR0282)" AND "SEWER ACCESS ROAD REHABILITATION FOR FISCAL YEAR 2014/15 (CIP# SWR0288)" PROJECTS TO BLUE PACIFIC ENGINEERING AND CONSTRUCTION IN THE AMOUNT OF \$192,089; AND APPROPRIATING \$44,000 FROM THE AVAILABLE BALANCE OF THE SEWER FACILITY REPLACEMENT FUND TO CIP# SWR0282 (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 Section 15302 Class 2 (Replacement or Reconstruction).

**Recommended Action:** Council adopt the resolution.

8. [19-0417](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS, AWARDING THE CONTRACT FOR THE "INSTALLATION OF PEDESTRIAN COUNTDOWN INDICATIONS AND TRAFFIC SIGNAL MODIFICATIONS (TRF0405)" PROJECT TO HMS CONSTRUCTION, INC., IN THE AMOUNT OF \$1,045,000; AND TRANSFERRING \$135,000 IN TRAFFIC SIGNAL APPROPRIATIONS FROM TRF0398 TO TRF0405 (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), 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.

9. [19-0415](#) INVESTMENT REPORT FOR THE QUARTER ENDED JUNE 30, 2019

*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.

10. [19-0434](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE ASSISTANCE TO FIREFIGHTERS GRANT AWARD FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY, APPROPRIATING \$156,736 IN THE FEDERAL GRANT FUND, AND AUTHORIZING THE FIRE CHIEF OR HIS DESIGNEE TO EXECUTE ALL RELATED DOCUMENTATION AND PROCUREMENT ASSOCIATED WITH THIS GRANT (4/5 VOTE REQUIRED)

*Department:* Fire 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.

11. [19-0425](#)
- A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE COMPENSATION SCHEDULE AND CLASSIFICATION PLAN TO REFLECT THE ADDITION AND DELETION OF VARIOUS POSITION TITLES AND AMENDING THE AUTHORIZED POSITION COUNTS IN VARIOUS DEPARTMENTS WITH A NET INCREASE IN AUTHORIZED STAFFING
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2019/20 COMPENSATION SCHEDULE EFFECTIVE SEPTEMBER 13, 2019, AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5
- C. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.05.010 TO ADD THE UNCLASSIFIED POSITIONS OF FA CYBER SECURITY PROGRAM MANAGER, FA NETWORK ADMINISTRATOR III, AND FACILITIES FINANCING MANAGER AND TO DELETE THE FA INFORMATION SECURITY PROGRAM MANAGER POSITION (FIRST READING) (4/5 VOTE REQUIRED)

**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.

**Recommended Action:** Council adopt the resolutions and place the ordinance on first reading.

## 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.*

**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. [19-0413](#) A. ORDINANCE OF THE CITY OF CHULA VISTA ESTABLISHING COMMUNITY CHOICE AGGREGATION IN THE CITY OF CHULA VISTA (FIRST READING)

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AND AUTHORIZING THE EXECUTION OF THE JOINT EXERCISE OF POWERS AGREEMENT CREATING THE SAN DIEGO REGIONAL COMMUNITY CHOICE ENERGY AUTHORITY

*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 place the ordinance on first reading and adopt the resolution.

**CITY MANAGER'S REPORTS****MAYOR'S REPORTS**

13. [19-0429](#) RATIFICATION OF APPOINTMENTS OF THE FOLLOWING:
- Jennifer Bustamante, Housing Advisory Commission (At-Large Seat)
  - Jay Francisco, Safety Commission
  - Steven Goldkrantz, Historic Preservation Commission
  - Curtis Moore, International Friendship Commission
  - Shawan Owusu, Housing Advisory Commission
  - Peggy Ratner, Human Relations Commission
  - Jeff Redondo, Cultural Arts Commission
  - Tanya Rodriguez, Cultural Arts Commission
  - Jasmine Rubel, Board of Library Trustees
  - Emily Tran, Commission on Aging

**COUNCILMEMBERS' COMMENTS**



**CITY ATTORNEY'S REPORTS**

14. [19-0419](#) REQUEST FOR CITY COUNCIL ACTION TO AUTHORIZE CITY PARTICIPATION IN LITIGATION AGAINST THE STATE BUREAU OF CANNABIS CONTROL IN ORDER TO CHALLENGE STATE EFFORTS TO PREEMPT LOCAL REGULATION OF CANNABIS DELIVERY BUSINESSES (COUNTY OF SANTA CRUZ, ET AL. V. BUREAU OF CANNABIS CONTROL, ET AL.)

*Recommended Action:* Council consider the item and take action as appropriate.

**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).*

15. [19-0421](#) CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c)

One [1] Case. County of Santa Cruz, et al. v. Bureau of Cannabis Control, et al., Fresno Superior Court, Case No. 19CECG01224.

**ADJOURNMENT**

*to the regular City Council meeting on September 24, 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](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.*