



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 12, 2019

5:00 PM

Council Chambers
276 4th Avenue, Building A
Chula Vista, CA 91910
Teleconferencing Location:
Oceano Hotel & Spa
280 Capistrano Road
Half Moon Bay, CA 94019

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. 19-0531 OATHS OF OFFICE

Bryan Ehm, Board of Appeals and Advisors
Lee Kohse, Cultural Arts Commission

B. 19-0524 PRESENTATION OF A PROCLAMATION COMMENDING JOHN JACOBS, THE 2019 CHULA VISTA VETERAN OF THE YEAR

- C. [19-0518](#) PRESENTATION OF A PROCLAMATION PROCLAIMING NOVEMBER 10-16, 2019 AS NURSE PRACTITIONER WEEK IN THE CITY OF CHULA VISTA
- D. [19-0486](#) PRESENTATION AND UPDATE ON THE AIRPORT DEVELOPMENT PLAN BY SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY BOARD MEMBER MARK WEST, AND BRENDAN REED, DIRECTOR OF PLANNING AND ENVIRONMENTAL AFFAIRS
- E. [19-0530](#) PRESENTATION OF THE SOUTH COUNTY TRI-MARKETING EFFORT BY SOUTH COUNTY ECONOMIC DEVELOPMENT COUNCIL PRESIDENT AND CEO, CINDY GOMPPER-GRAVES
- F. [19-0526](#) PRESENTATION OF A PROCLAMATION RECOGNIZING SOUTH COUNTY ECONOMIC DEVELOPMENT COUNCIL ON ITS 30TH ANNIVERSARY

CONSENT CALENDAR (Items 1 - 4)

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. [19-0532](#)
- A. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTIONS 19.58.022 (ACCESSORY DWELLING UNITS) AND 19.58.023 (JUNIOR ACCESSORY DWELLING UNITS) TO REMOVE THE OWNER OCCUPANCY REQUIREMENT (SECOND READING AND ADOPTION)
- B. ORDINANCE OF THE CITY OF CHULA VISTA IMPLEMENTING THE DEVELOPMENT IMPACT FEE RELATED PROVISIONS OF SENATE BILL 13 (ACCESSORY DWELLING UNITS) (SECOND READING AND ADOPTION)

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 ordinances.

2. [19-0533](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING RESOLUTION NO. 2019-169 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 resolution amending Resolution No. 2019-169.

3. [19-0420](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING A PROJECT STAFFING AND REVIEWING AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND PARDEE HOMES, A CALIFORNIA CORPORATION

Department: Development Services Department

Environmental Notice: The activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. The proposed agreement has no possibility to have a significant effect on the environment; therefore, pursuant to Section 15061(b)(3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no environmental review is required.

Recommended Action: Council adopt the resolution.

4. [19-0448](#) 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 (FIRST READING)

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 (FIRST READING)

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 (FIRST READING)

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 (FIRST READING)

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 (FIRST READING)

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 (FIRST READING)

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 (FIRST READING)

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 (FIRST READING)

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 (FIRST READING)

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 (FIRST READING)

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 place the ordinances 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.

CITY MANAGER'S REPORTS

MAYOR'S REPORTS

COUNCILMEMBERS' COMMENTS

CITY ATTORNEY'S REPORTS

5. [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

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).

6. [19-0490](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)

Name of case: City of Chula Vista, California v. Amerisourcebergen Drug Corporation, et al., United States District Court, Case No. 19cv1115BEN(MSB)

7. [19-0515](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4):
[1] Case. 123 Broadway, Chula Vista, CA 91910

ADJOURNMENT

to the regular City Council meeting on November 19, 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.

Sign up at www.chulavistaca.gov to receive email notifications when City Council agendas are published online.

NOTICE OF REVIEW AND PENDING APPROVAL OF FINAL MAP(S)

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 November 12, 2019, will approve the following final map(s):

Chula Vista Tract No. 09-03 Otay Ranch Millenia Phase 2C

Specifically, the City Engineer has caused the map(s) 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 Boushra Salem, Principal Civil Engineer at (619) 409-5483, or at bsalem@chulavistaca.gov.