



MEETING OF THE CITY COUNCIL

Agenda

Cheryl Cox, Mayor
Patricia Aguilar, Councilmember
Pamela Bensoussan, Councilmember
Rudy Ramirez, Councilmember
Mary Salas, Councilmember

Gary Halbert, City Manager
Glen R. Googins, City Attorney
Donna R. Norris, City Clerk

Tuesday, December 2, 2014

2:00 PM

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

REGULAR MEETING OF THE CITY COUNCIL

CALL TO ORDER

ROLL CALL:

Councilmembers Aguilar, Bensoussan, Ramirez, Salas and Mayor Cox

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

SPECIAL ORDERS OF THE DAY

- A. 14-0673 OATH OF OFFICE
Marie Zhivago, Cultural Arts Commission
B. 14-0691 PRESENTATION BY SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) CHAIRMAN JACK DALE OF A PLAQUE IN RECOGNITION OF MAYOR CHERYL COX'S SERVICE ON THE SANDAG BOARD OF DIRECTORS
C. 14-0655 PRESENTATION BY BOARD OF PORT COMMISSIONERS CHAIRMAN, BOB NELSON OF A PROCLAMATION TO MAYOR CHERYL COX RECOGNIZING HER FOR HER EXEMPLARY PUBLIC SERVICE TO THE CITY OF CHULA VISTA AND HER DEDICATION TO THE DEVELOPMENT OF CHULA VISTA'S BAYFRONT

- D. [14-0634](#) PRESENTATION OF A SPECIAL AWARD BY CIRCULATE SAN DIEGO PRESIDENT STEPHEN HAASE TO THE CITY OF CHULA VISTA AND MCMILLIN COMMUNITIES FOR PLANNING EFFORTS FOR INNOVATIVE LAND USE AND WALKABLE COMMUNITIES IN THE FUTURE MILLENIA EASTERN URBAN CENTER
- E. [14-0678](#) PRESENTATION BY CHULA VISTA CHARITABLE FOUNDATION CHAIR MICHAEL MEACHAM AND VICE CHAIR DEBBIE ESPE REGARDING THE CVCF'S SUCCESS IN INCREASING LOCAL PHILANTHROPY AND COMMUNITY LEADERSHIP OPPORTUNITIES

CONSENT CALENDAR (Items 1 - 10)

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. [14-0690](#) APPROVAL OF MINUTES of November 18, 2014.

Staff Recommendation: Council approve the minutes.

2. [14-0670](#) ORDINANCE OF THE CITY OF CHULA VISTA UPDATING THE WESTERN TRANSPORTATION DEVELOPMENT IMPACT FEE TO MITIGATE TRANSPORTATION IMPACTS WITHIN WESTERN CHULA VISTA, AMENDING THE WESTERN TRANSPORTATION DEVELOPMENT IMPACT FEE BENEFIT AREA, ESTABLISHING THE BAYFRONT TRANSPORTATION DEVELOPMENT IMPACT FEE AND AMENDING CHAPTER 3.55 OF THE MUNICIPAL CODE (SECOND READING AND ADOPTION)

Department: Public Works Department

Staff Recommendation: Council adopt the ordinance.

3. [14-0669](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE CHAPTER 3.54, RELATING TO DEVELOPMENT IMPACT FEES TO PAY FOR THE TRANSPORTATION FACILITIES IN THE CITY'S EASTERN TERRITORIES (SECOND READING AND ADOPTION)

Department: Public Works Department

Staff Recommendation: Council adopt the ordinance.

4. [14-0671](#) 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 POLICE ADMINISTRATIVE SERVICES ADMINISTRATOR, CHIEF OF STAFF, POLICY AIDE AND TREASURY AND BUSINESS MANAGER AND DELETE TREASURY MANAGER (SECOND READING AND ADOPTION) (4/5 VOTE REQUIRED)

Department: Human Resources Department

Staff Recommendation: Council adopt the ordinance.

5. [14-0642](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE CITY OF CHULA VISTA CAFETERIA BENEFITS PLAN FOR 2015

Department: Human Resources Department

Staff Recommendation: Council adopt the resolution.

6. [14-0674](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MEMORANDUM OF UNDERSTANDING (“MOU”) BETWEEN THE CITY OF CHULA VISTA AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS AFL-CIO LOCAL 2180 BARGAINING UNIT (“IAFF”) RELATED TO COMPENSATION AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT; AUTHORIZING THE CITY MANAGER TO EXECUTE THE MEMORANDUM OF UNDERSTANDING AND ANY NECESSARY DOCUMENTS AS MAY BE REQUIRED TO IMPLEMENT THE MEMORANDUM OF UNDERSTANDING; AND APPROPRIATING FUNDS ACCORDINGLY (4/5 VOTE REQUIRED)

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2014/15 COMPENSATION SCHEDULE AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5

Department: Human Resources Department

Staff Recommendation: Council adopt the resolutions.

7. [14-0687](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA NAMING THE NEW MULTI-PURPOSE BUILDING AT THE ANIMAL CARE FACILITY AFTER MAYOR CHERYL COX IN HONOR OF HER SUPPORT OF THE FACILITY DURING HER EIGHT YEARS OF SERVICE

Department: City Manager

Staff Recommendation: Council adopt the resolution.

8. [14-0629](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MODIFYING THE APPENDIX TO THE LOCAL CONFLICT OF INTEREST CODE TO AMEND THE LIST OF OFFICIALS, CANDIDATES AND DESIGNATED EMPLOYEES WHO ARE REQUIRED TO FILE PERIODIC STATEMENTS OF ECONOMIC INTERESTS AND THE DISCLOSURE CATEGORIES FOR SAID FILERS, AND DESIGNATING THOSE FILERS AS "LOCAL AGENCY OFFICIALS" FOR PURPOSES OF AB 1234, THEREBY REQUIRING THEM TO PARTICIPATE IN MANDATED ETHICS TRAINING

Department: City Attorney & City Clerk

Staff Recommendation: Council adopt the resolution.

9. [14-0645](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE PAYMENT OF PREVAILING WAGES ON CITY PUBLIC WORKS CONTRACTS AND OTHER MEASURES REQUIRED TO REMAIN ELIGIBLE FOR STATE FUNDING AND FINANCIAL ASSISTANCE FOR CITY CONSTRUCTION PROJECTS UNDER CALIFORNIA LABOR CODE SECTION 1782 (ALSO KNOWN AS SB 7) UNLESS AND UNTIL SB 7 IS ENJOINED OR INVALIDATED

Department: City Attorney & Public Works

Staff Recommendation: Council adopt the resolution.

10. [14-0668](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA REDUCING THE TRANSFER FROM THE GENERAL FUND TO THE PUBLIC LIABILITY EXPENSE FUND BY \$300,000 AND APPROPRIATING SAID FUNDS TO THE NON-DEPARTMENTAL SUPPLIES AND SERVICES BUDGET FOR PROJECTED ATTORNEY SERVICES EXPENSES (4/5 VOTE REQUIRED)

Department: City Attorney

Staff Recommendation: 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.

11. [14-0596](#) CONSIDERATION OF AN ENVIRONMENTAL IMPACT REPORT FOR OTAY RANCH VILLAGES THREE, A PORTION OF FOUR, EIGHT EAST, AND TEN

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING CERTAIN FINDINGS OF FACT; ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS; ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM AND CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR-13-01; SCH NO. 2013071077) FOR THE OTAY RANCH UNIVERSITY VILLAGES SECTIONAL PLANNING AREA PLANS, GENERAL PLAN AMENDMENT, GENERAL DEVELOPMENT PLAN AMENDMENT AND TENTATIVE MAPS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Department: Development Services Department

Staff Recommendation: Council conduct the public hearing and adopt the resolution.

12. [14-0606](#) CONSIDERATION OF AMENDING THE GENERAL PLAN, THE OTAY RANCH GENERAL DEVELOPMENT PLAN, VARIOUS OTAY RANCH VILLAGE SECTIONAL PLANNING AREA PLANS, AND APPROVING VILLAGE THREE NORTH AND A PORTION OF FOUR, EIGHT EAST, AND TEN SECTIONAL PLANNING AREA PLANS AND RELATED TENTATIVE MAPS

A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AMENDMENTS TO THE CITY'S GENERAL PLAN AND THE OTAY RANCH GENERAL DEVELOPMENT PLAN TO REFLECT LAND USE, CIRCULATION AND POLICY CHANGES FOR APPROXIMATELY 1,375 ACRES WITHIN THE OTAY RANCH PLANNED COMMUNITY, INCLUDING ASSOCIATED TEXT, MAPS AND TABLES

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE OTAY RANCH VILLAGE THREE NORTH AND A PORTION OF FOUR SECTIONAL PLANNING AREA (SPA) PLAN PROPOSING 1,002 SINGLE-FAMILY DWELLING UNITS, 595 MULTI-FAMILY DWELLING UNITS, APPROXIMATELY 40 GROSS ACRES OF INDUSTRIAL AND OFFICE USES, AND A MINIMUM OF 20,000 SQUARE FEET OF RETAIL USES FOR AN APPROXIMATELY 436.0 ACRE SITE LOCATED PRIMARILY NORTH OF MAIN STREET AND NORTHWEST AND SOUTHEAST OF HERITAGE ROAD

C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE OTAY RANCH VILLAGE EIGHT EAST SECTIONAL PLANNING AREA (SPA) PLAN PROPOSING 943 SINGLE-FAMILY DWELLING UNITS, 2,617 MULTI-FAMILY DWELLING UNITS, AND A MINIMUM OF 20,000 SQUARE FEET OF RETAIL COMMERCIAL USES FOR AN APPROXIMATELY 575.3 ACRE SITE LOCATED PRIMARILY SOUTH OF MAIN STREET AND WEST OF SR-125

D. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE OTAY RANCH VILLAGE TEN SECTIONAL PLANNING AREA (SPA) PLAN PROPOSING 695 SINGLE-FAMILY DWELLING UNITS, AND 1,045 MULTI-FAMILY DWELLING UNITS FOR AN APPROXIMATELY 363.4 ACRE SITE LOCATED SOUTH OF HUNTE PARKWAY AND THE FUTURE UNIVERSITY SITE

E. ORDINANCE OF THE CITY OF CHULA VISTA APPROVING THE SECTIONAL PLANNING AREA (SPA) PLANNED COMMUNITY DISTRICT REGULATIONS FOR OTAY RANCH VILLAGE THREE NORTH AND A PORTION OF FOUR (FIRST READING)

F. ORDINANCE OF THE CITY OF CHULA VISTA APPROVING THE SECTIONAL PLANNING AREA (SPA) PLANNED COMMUNITY DISTRICT REGULATIONS FOR OTAY RANCH VILLAGE EIGHT EAST (FIRST READING)

G. ORDINANCE OF THE CITY OF CHULA VISTA APPROVING THE SECTIONAL PLANNING AREA (SPA) PLANNED COMMUNITY DISTRICT REGULATIONS FOR OTAY RANCH VILLAGE TEN (FIRST READING)

H. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING TENTATIVE MAP CVT-13-02 (PCS-13-02) FOR THE OTAY RANCH VILLAGE THREE NORTH AND A PORTION OF FOUR PROJECT SUBJECT TO THE CONDITIONS CONTAINED HEREIN

I. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING TENTATIVE MAP CVT-13-03 (PCS-13-03) FOR THE OTAY RANCH VILLAGE EIGHT EAST PROJECT SUBJECT TO THE CONDITIONS CONTAINED HEREIN

J. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING TENTATIVE MAP CVT-13-04 (PCS-13-04) FOR THE OTAY RANCH VILLAGE TEN PROJECT SUBJECT TO THE CONDITIONS CONTAINED HEREIN

Department: Development Services Department

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

13. [14-0597](#) CONSIDERATION OF APPROVING AMENDMENTS TO TWO DEVELOPMENT AGREEMENTS PURSUANT TO THE LAND OFFER AGREEMENT BETWEEN THE CITY AND SSBT LCRE V, LLC

A. ORDINANCE OF THE CITY OF CHULA VISTA APPROVING A FIRST AMENDMENT TO THE RESTATED AND AMENDED PRE-ANNEXATION DEVELOPMENT AGREEMENT BETWEEN SSBT LCRE V, LLC AND THE CITY OF CHULA VISTA (FORMER SNMB DEVELOPMENT AGREEMENT) (FIRST READING)

B. ORDINANCE OF THE CITY OF CHULA VISTA APPROVING A FIRST AMENDMENT TO THE RESTATED AND AMENDED PRE-ANNEXATION DEVELOPMENT AGREEMENT BETWEEN SSBT LCRE V, LLC AND THE CITY OF CHULA VISTA (FORMER JEWELS OF CHARITY DEVELOPMENT AGREEMENT) (FIRST READING)

Department: Development Services Department

Staff Recommendation: Council conduct the public hearing and place the ordinances on first reading.

CITY MANAGER'S REPORTS

MAYOR'S REPORTS

14. [14-0672](#) RATIFICATION OF APPOINTMENTS TO THE FOLLOWING COMMISSIONS:

NANCY SEDGWICK TO THE RESOURCE CONSERVATION COMMISSION

JORGE MARROQUIN AND JERRY MUNOZ TO THE SAFETY COMMISSION

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).

15. [14-0692](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (a)

City of Chula Vista v. Bay & E, Inc., et al., San Diego Superior Court, Case No. 37-2013-00055103-CU-MC-CTL

ADJOURNMENT

to the Special City Council Meeting on December 9, 2014, at 6:00 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.

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