



MEETING OF THE CITY COUNCIL

Agenda

Mary Casillas Salas, Mayor
Patricia Aguilar, Councilmember
Mike Diaz, Councilmember
John McCann, Councilmember
Stephen C. Padilla, Councilmember

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

Tuesday, January 10, 2017

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 Aguilar, Diaz, McCann, Padilla and Mayor Casillas Salas

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

SPECIAL ORDERS OF THE DAY

- A. [17-0005](#) PRESENTATION OF A PROCLAMATION TO OUTGOING 2016 PACIFIC SOUTHWEST ASSOCIATION OF REALTORS PRESIDENT ANTHONY ANDAYA IN HONOR OF HIS SERVICE

- B. [17-0018](#) PRESENTATION OF DONATED PERSONAL COMPUTERS TO SOUTHBAY COMMUNITY SERVICES' YOUTH IN TRANSITION PROGRAM RECIPIENTS BY SENIOR RECYCLING SPECIALIST MANUEL MEDRANO AND CHÉRI PIERRE, REPRESENTING NONPROFIT ORGANIZATION COMPUTERS 2 SAN DIEGO KIDS

CONSENT CALENDAR (Items 1 - 14)

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. [17-0020](#) APPROVAL OF MINUTES of December 6, and 13, 2016.

Staff Recommendation: Council approve the minutes.

2. [16-0585](#) WRITTEN COMMUNICATIONS

Letters of resignation from the following:

- A. Julio Fuentes, Planning Commission
- B. Dr. Zhivago, Cultural Arts Commission

Staff Recommendation: Council accept the resignations.

3. [16-0566](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE FIRE DEPARTMENT TO USE THE COOPERATIVE PURCHASING PROCEDURES ON A MASTER PURCHASE AGREEMENT TO PURCHASE SELF-CONTAINED BREATHING APPARATUS (SCBA) EQUIPMENT FROM MUNICIPAL EMERGENCY SERVICES INC. (MES)

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.

Staff Recommendation: Council adopt the resolution.

4. [16-0524](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING PARTICIPATION IN THE SAN DIEGO COUNTY FAIR 2017 STREET BANNER PROGRAM TO PLACE FAIR PROMOTIONAL BANNERS IN THE CITY OF CHULA VISTA FEATURING CITY LOGO AND SAN DIEGO COUNTY FAIR AND PRESENTING SPONSOR LOGOS
- Department:* City Manager
- Environmental Notice:* The Project qualifies for a Statutory Exemption pursuant to Section 15268 (Ministerial Projects) of the California Environmental Quality Act State Guidelines.
- Staff Recommendation:* Council adopt the resolution.
5. [16-0518](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE COMPENSATION SCHEDULE TO REFLECT SALARY INCREASES FOR THE MAYOR AND COUNCILMEMBERS IN ACCORDANCE WITH SECTIONS 302 AND 304(C) OF THE CITY OF CHULA VISTA CITY CHARTER
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2016/2017 COMPENSATION SCHEDULE AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5
- 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.
- Staff Recommendation:* Council adopt the resolutions.
6. [16-0531](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE FINAL REPORT OF EXPENDITURES FOR THE "EMERGENCY STORM DRAIN REPAIRS OF CORRUGATED METAL PIPE (CMP) AT VARIOUS LOCATIONS (DR204)," MAKING A FINDING THAT AN EMERGENCY EXISTED, AND RATIFYING THE CONTRACTS WITH TC CONSTRUCTION COMPANY INC., DOWNSTREAM SERVICES INC., ARRIETA CONSTRUCTION INC., AND NU-LINE TECHNOLOGIES LLC. FOR SAID EMERGENCY REPAIRS

Department: Public Works Department

Environmental Notice: The project qualifies for a Class 1 Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act State Guidelines.

Staff Recommendation: Council adopt the resolution.

7. [16-0543](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS, AWARDING THE CONTRACT FOR THE “STORM DRAIN REHABILITATION FISCAL YEAR 2016/2017 AT VARIOUS LOCATIONS IN THE CITY OF CHULA VISTA (DR206)” PROJECT, INCLUDING ADDITIVE BID ITEMS, TO SANCON ENGINEERING, INC., IN THE AMOUNT OF \$868,229, WAIVING CITY COUNCIL POLICY NO. 574-01, AND AUTHORIZING THE EXPENDITURE OF ALL AVAILABLE CONTINGENCY FUNDS IN AN AMOUNT NOT TO EXCEED \$226,771

Department: Public Works Department

Environmental Notice: The Project qualifies for Class 1 and Class 2 Categorical Exemptions pursuant to Section 15301 (Existing Facilities) and Section 15302 (Replacement or Reconstruction) of the California Environmental Quality Act (CEQA) State Guidelines.

Staff Recommendation: Council adopt the resolution.

8. [16-0563](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE CONTINUED UTILIZATION OF THE EXTENDED CONTRACT BETWEEN THE CITY OF SAN DIEGO AND SOCO GROUP FOR THE PURCHASE OF MOTOR VEHICLE FUEL FOR CITY OF CHULA VISTA VEHICLES

Department: Public Works 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.

Staff Recommendation: Council adopt the resolution.

9. [16-0570](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS; AWARDING A CONTRACT FOR THE "PARKWAY COMMUNITY CENTER IMPROVEMENTS PROJECT (CIP GG228)" TO "MARK W. FOGLE" IN THE AMOUNT OF \$236,952.64; AND AWARDING A CONTRACT FOR THE "PARKWAY AQUATIC CENTER POOL IMPROVEMENTS PROJECT (CIP GG228)" TO "MISSION POOLS OF ESCONDIDO, INC." IN THE AMOUNT OF \$446,125.00; AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO EXECUTE ALL CHANGE ORDERS; AND AUTHORIZING THE EXPENDITURE OF ALL AVAILABLE CONTINGENCY FUNDS IN AN AMOUNT NOT TO EXCEED \$35,978.65

Department: Public Works Department

Environmental Notice: The Project qualifies for a Class 1 Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act State Guidelines.

Staff Recommendation: Council adopt the resolution.

10. [16-0586](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING ADMINISTERING AGENCY - STATE MASTER AGREEMENT FOR FEDERAL AID PROJECTS, NO. 11-5203F15, BETWEEN THE CITY OF CHULA VISTA AND THE STATE OF CALIFORNIA; AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS AND THE CITY ENGINEER TO EXECUTE THE MASTER AGREEMENT AND ALL FUTURE PROGRAM SUPPLEMENTS TO THE MASTER AGREEMENT

Department: Public Works 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.

Staff Recommendation: Council adopt the resolution.

11. [16-0558](#) ACCEPTANCE OF AUDITED FINANCIAL STATEMENTS FOR FISCAL YEAR ENDED JUNE 30, 2016

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING AMENDMENTS TO THE FISCAL YEAR 2015/2016 BUDGET TO ADJUST FOR VARIANCES AND APPROPRIATING FUNDS 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.

Staff Recommendation: Council accept the report and adopt the resolution.

12. [16-0579](#) REPORT REGARDING THE DEVELOPMENT IMPACT FEE, PARKLAND ACQUISITION AND DEVELOPMENT FEE, AND TRUNK SEWER CAPITAL RESERVE FUNDS FOR THE FISCAL YEAR ENDED JUNE 30, 2016

Department: Finance & Development Services Departments

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.

Staff Recommendation: Council receive the report.

13. [16-0561](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE ECONOMIC DEVELOPMENT DEPARTMENT'S FISCAL YEAR 2016/2017 BUDGET BY APPROPRIATING \$200,000 FOR BUSINESS ATTRACTION AND RETENTION INITIATIVES (4/5 VOTE REQUIRED)

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.

Staff Recommendation: Council adopt the resolution.

14. [17-0009](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE AUTHORIZED POSITION COUNT IN THE ECONOMIC DEVELOPMENT DEPARTMENT TO REFLECT THE ADDITION OF A SENIOR FISCAL OFFICE SPECIALIST POSITION AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

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.

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.

15. [16-0573](#) PRESENTATION AND CONSIDERATION OF ACCEPTANCE OF THE 2015/2016 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER); AND SOLICITATION OF INPUT ON FUNDING PRIORITIES FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME), AND EMERGENCY SOLUTIONS GRANT (ESG) 2017/2018 PROGRAM

Department: Development Services Department

Environmental Notice: The proposed activities are not considered "Projects" as defined under Section 15378(b)(5) of the State CEQA Guidelines because the proposals consist of a reporting action, is an administrative function, and is not site specific project(s) and will not result in a direct or indirect physical change in the environment. Therefore, pursuant to Section 15060 (c)(3) of the State CEQA Guidelines, these activities are not subject to CEQA. Under NEPA, the activity qualifies for a Certification of Exemption.

Staff Recommendation: Council conduct the public hearing and accept the year-end report.

16. [16-0562](#) CONSIDERATION OF APPROVING THE DESIGN REVIEW APPLICATION DR16-0009 FOR THE MILLENIA OFFICE PROJECT BY LMC-MILLENIA INVESTMENT COMPANY, L.P. (CHESNUT PROPERTIES) AND ASSOCIATED STREET ENCROACHMENT MAINTENANCE AGREEMENT

A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A DESIGN REVIEW PERMIT (DR16-0009) TO CONSTRUCT TWO OFFICE BUILDINGS TOTALING 318,000 SQUARE FEET, A 6,100 SQUARE FOOT SINGLE STORY AMENITY BUILDING AND A TOTAL OF 1,373 PARKING SPACES ON A 7.06-ACRE SITE WITHIN THE MILLENIA MASTER PLANNED COMMUNITY

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE GRANT OF AN ENCROACHMENT PERMIT (PE1006) TO ALLOW THE CONSTRUCTION AND MAINTENANCE OF A BUILDING OVERHANG 29 FEET ABOVE STREET LEVEL ENCROACHING FOUR FEET WITHIN THE CITY RIGHT OF WAY OF MONTAGE AVENUE, AND AN ENCROACHMENT MAINTENANCE AGREEMENT THEREFOR

Department: Development Services Department

Environmental Notice: The Director of Development Services has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the proposed project was adequately covered in previously adopted Final Second Tier Environmental Impact Report (EIR-07-01); thus, no further environmental review is required.

Staff Recommendation: 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.

17. [16-0542](#) CONSIDERATION OF APPROVING A THREE-YEAR MASTER SERVICES AGREEMENT WITH OPEN COUNTER ENTERPRISES, INC.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE FORMAL BID REQUIREMENT, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A THREE-YEAR MASTER SERVICES AGREEMENT WITH OPEN COUNTER ENTERPRISES, INC. AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

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.

Staff Recommendation: Council adopt the resolution.

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

18. [16-0572](#) APPOINTMENT OF DEPUTY MAYOR
19. [16-0571](#) APPOINTMENT OF CITY COUNCILMEMBERS TO OUTSIDE AGENCIES:
- Chula Vista Veterans Home Support Foundation - Member
 - Chula Vista Veterans Home Support Foundation - Alternate
 - International Council for Local Environmental Initiatives (ICLEI) - Environmental Lead
 - International Council for Local Environmental Initiatives (ICLEI) - Alternate
 - League of California Cities, San Diego Division - Member
 - League of California Cities, San Diego Division - Alternate

- Metropolitan Transit System Board of Directors (MTS) - Member
- Metropolitan Transit System Board of Directors (MTS) - Alternate
- Metropolitan Wastewater Commission (Metro) - Member
- Metropolitan Wastewater Commission (Metro) - Alternate
- Otay Valley Regional Park (OVRP) Policy Committee and Preserve Owner Manager (POM) - Member
- Otay Valley Regional Park (OVRP) Policy Committee and Preserve Owner Manager (POM) - Alternate
- San Diego Association of Governments (SANDAG) Board of Directors - Member
- San Diego Association of Governments (SANDAG) Board of Directors - 1st Alternate
- San Diego Association of Governments (SANDAG) Board of Directors - 2nd Alternate
- San Diego Association of Governments (SANDAG) Bayshore Bikeway Committee
- South County Economic Development Council (EDC) - Member
- South County Economic Development Council (EDC) - Alternate

20. [17-0010](#)

RATIFICATION OF APPOINTMENT OF THE FOLLOWING:

- A. JENNIFER BUSTAMANTE, HOUSING ADVISORY COMMISSION
- B. BOBBY ERDMANN, COMMISSION ON AGING
- C. PAULA MATTHEI, WILDLIFE ADVISORY GROUP
- D. JENNIFER MUELLER, VETERANS ADVISORY COMMISSION

COUNCILMEMBERS' COMMENTS

ADJOURNMENT

to the Regular City Council Meeting on January 17, 2017, 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.