



**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  
Kerry K. Bigelow, City Clerk

**Tuesday, February 27, 2018**

**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. [18-0074](#) PRESENTATION BY INTERIM LIBRARY DIRECTOR JOY WHATLEY AND US DEPARTMENT OF STATE, CUSTOMER SERVICE MANAGER SAUL LEYVA, OF THE 2017 NATIONAL PASSPORT ACCEPTANCE FACILITY OF THE YEAR AWARD TO THE OTAY RANCH BRANCH LIBRARY
  
- B. [18-0050](#) PRESENTATION BY SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) SENIOR REGIONAL PLANNER STEPHAN VANCE ON THE SAN DIEGO BAYSHORE BIKEWAY

**CONSENT CALENDAR (Items 1 - 8)**

*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. [18-0081](#) APPROVAL OF MINUTES of November 21, 2017.  
*Staff Recommendation:* Council approve the minutes.
  
2. [18-0077](#) ORDINANCE OF THE CITY OF CHULA VISTA ADDING CHAPTER 3.34 TO TITLE 3 OF THE CHULA VISTA MUNICIPAL CODE TO ESTABLISH A ONE- HALF CENT GENERAL TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION INCLUDING PROVISIONS FOR CITIZENS' OVERSIGHT AND ACCOUNTABILITY (SECOND READING AND ADOPTION) (4/5 VOTE REQUIRED)  
*Department:* City Manager  
*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 ordinance.
  
3. [17-0532](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A PARK MASTER PLAN FOR THE 3.6-ACRE P-6 PUBLIC NEIGHBORHOOD PARK, LOCATED IN MILLENIA, AND APPROVING THE PARK NAME "MILLENIA PARK"  
*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 Project was adequately covered in previously adopted Final Second Tier Environmental Impact Report (EIR 07-01) for the Otay Ranch Eastern Urban Center (EUC) Sectional Planning Area (SPA) Plan. Thus, no additional environmental review is required.  
*Staff Recommendation:* Council adopt the resolution.

4. [18-0061](#) INVESTMENT REPORT FOR THE QUARTER ENDED DECEMBER 31, 2017

*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.

5. [18-0003](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS, AWARDING THE CONTRACT FOR THE "PALOMAR STREET AND ORANGE AVENUE SIDEWALK IMPROVEMENTS (STL420)" PROJECT TO TRI-GROUP CONSTRUCTION AND DEVELOPMENT INC., IN THE AMOUNT OF \$809,284; APPROPRIATING \$312,750 FROM THE AVAILABLE BALANCE OF THE TRAFFIC SIGNAL FUND TO STL420; AND TRANSFERRING \$187,250 IN TRANSNET APPROPRIATIONS FROM DRN0206 TO STL420 (4/5 VOTE REQUIRED)

*Department:* Engineering Department

*Environmental Notice:* The Palomar Street and Orange Avenue Sidewalk Improvements Project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act (CEQA) State Guidelines Section 15301 Class 1 (Existing Facilities) and Class 3 pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act State Guidelines. Additionally, under the National Environmental Policy Act (NEPA) the project is categorically exempt per 24 CFR 58.35(a). Therefore, it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license.

*Staff Recommendation:* Council adopt the resolution.

6. [17-0484](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING A CONTRACT FOR THE CONSTRUCTION OF THE “TRAFFIC SIGNAL MODIFICATIONS AT FOUR INTERSECTIONS: FOURTH AVENUE & J STREET, HILLTOP DRIVE & L STREET, THIRD AVENUE & H STREET, AND THIRD AVENUE & I STREET (CIP# TRF0388)” PROJECT TO HMS CONSTRUCTION, INC. IN THE AMOUNT OF \$893,565.50; AND APPROPRIATING \$260,000 FROM THE AVAILABLE BALANCE OF THE TRAFFIC SIGNAL FUND TO TRF0388 (4/5 VOTE REQUIRED)

*Department:* Engineering 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. [18-0036](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE CHAPTER 9.20 TO PERMIT RECOVERY OF THE CITY'S AVERAGE COSTS RELATED TO GRAFFITI ABATEMENT AND REMEDIATION BY THE SAN DIEGO PROBATION OFFICE IN JUVENILE COURT PROCEEDINGS AND ADOPTING THE 2018 CHULA VISTA GRAFFITI ABATEMENT COST AND EXPENSES MATRIX (FIRST READING)

*Department:* City Attorney & 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 place the ordinance on first reading.

8. [18-0073](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE CHAPTER 5.56 TO PERMIT AND REGULATE TOBACCO RETAILERS (FIRST READING)

*Department:* City Attorney & Police 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 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.*

### 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.*

9. [17-0396](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CAPITAL IMPROVEMENT PROGRAM (CIP) PROJECT "BIKE LANES ON BROADWAY - PHASE II" (CIP# STM0392) TO INCLUDE THE SCOPE OF PHASE III (L STREET TO MAIN STREET), RENAMING CIP# STM0392 AS, "CLASS 2 BIKE LANES ON BROADWAY," AND APPROPRIATING \$103,728 FROM THE SB-1 ATPL GRANT PROGRAM OF THE STATE GRANTS FUND TO STM0392 (4/5 VOTE REQUIRED)

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE TRAFFIC IMPACT STUDY AND ENVIRONMENTAL ANALYSIS, APPROVING THE RECOMMENDATION TO INSTALL BIKE LANES ON BROADWAY FROM C STREET TO MAIN STREET, AND AMENDING SCHEDULE VI OF THE REGISTER MAINTAINED BY THE OFFICE OF THE CITY ENGINEER TO REFLECT THE REVISED TIME-LIMITED PARKING ZONES UPON COMPLETION OF THE PROJECT

**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/or Section 15304 Class 4 (Minor Alterations to Land).

**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.*

10. [18-0037](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE CITY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG), THE CITY, AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) REGARDING ROLES AND RESPONSIBILITIES FOR THE SAN DIEGO REGIONAL PROVING GROUND

**Department:** Engineering Department

**Environmental Notice:** The Project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act State Guidelines Section 15306 Class 6 (Information Collection) and/or Section 15301 Class 1 (Existing Facilities).

**Staff Recommendation:** Council adopt the resolution.

11. [18-0071](#) ORDINANCE OF THE CITY OF CHULA VISTA ADDING CHULA VISTA MUNICIPAL CODE SECTION 5.19 TO REGULATE COMMERCIAL CANNABIS (FIRST READING)
- Department:* City Manager
- Environmental Notice:* The Project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act State Guidelines Section 15061(b) (3); Section 15183 (Projects Consistent with a Community Plan or Zoning); Section 15301 (Existing Facilities); and Section 15303 (New Construction or Conversion of Small Structures).
- Staff Recommendation:* Council place the ordinance on first reading.
12. [18-0015](#) A. QUARTERLY FINANCIAL REPORT FOR THE QUARTER ENDING DECEMBER 31, 2017
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING VARIOUS AMENDMENTS TO THE FISCAL YEAR 2017/18 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.
13. [18-0048](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE COMPENSATION SCHEDULE AND CLASSIFICATION PLAN TO REFLECT THE ADDITION OF VARIOUS POSITION TITLES AND AMENDING THE AUTHORIZED POSITION COUNT IN VARIOUS DEPARTMENTS WITH NO NET INCREASE IN AUTHORIZED STAFFING

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2017/18 COMPENSATION SCHEDULE EFFECTIVE MARCH 2, 2018, AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5, TO REFLECT: (1) THE ADDITION AND ELIMINATION OF CERTAIN POSITION TITLES AND (2) SALARY ADJUSTMENTS FOR ACCOUNTANT, ASSOCIATE ACCOUNTANT, DEPUTY CITY MANAGER, DIRECTOR OF ECONOMIC DEVELOPMENT, SEASONAL ASSISTANT, AND SENIOR ACCOUNTANT

C. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.05.010 TO ADD THE UNCLASSIFIED POSITIONS OF CITY LIBRARIAN, PARKS AND RECREATION ADMINISTRATOR, DIRECTOR OF COMMUNITY SERVICES, AND REVENUE MANAGER (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.

*Staff Recommendation:* Council adopt the resolutions and place the ordinance on first reading.

## **CITY MANAGER'S REPORTS**



**MAYOR'S REPORTS**

14. [18-0083](#) APPOINTMENT OF A MEMBER TO THE SANDAG SHORELINE PRESERVATION WORKING GROUP

**COUNCILMEMBERS' COMMENTS**

15. [18-0078](#) COUNCILMEMBER AGUILAR:  
CONSIDERATION OF CITY ENDORSEMENT OF THE 2018 "VILLAGE SUMMER NIGHTS" SERIES OF EVENTS PLANNED FOR THE THIRD AVENUE VILLAGE IN CHULA VISTA

Village Summer Nights is a series of six bi-weekly displays of vehicles, music, and specialty business products planned for every other Tuesday evening beginning June 12 and ending August 28, 2018.

**CITY ATTORNEY'S REPORTS****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).*

16. [18-0054](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)

Name of case: Juan Abenojar and Salome Rincon v. City of Chula Vista, San Diego Superior Court, Case No. 37-2016-00024897-CU-PO-CTL

17. [18-0070](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4):

One (1) Case: City of Chula Vista v. International Boundary & Water Commission, et al.

**ADJOURNMENT**

*to the Regular City Council Meeting on March 6, 2018, 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.*

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