



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, July 22, 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. 14-0435 OATH OF OFFICE
David Marshall, Safety Commission
Marivic Lisama, Housing Advisory Commission
B. 14-0430 PRESENTATION BY AMERICAN PUBLIC WORKS ASSOCIATION (APWA) PRESIDENT CLARK FERMON AND PRINCIPAL CIVIL ENGINEER JOSE GOMEZ REGARDING APWA OF SAN DIEGO & IMPERIAL COUNTIES' 2014 AWARD FOR PROJECT OF THE YEAR FOR STRUCTURES UNDER \$2 MILLION - PEDESTRIAN BRIDGE & TRAIL PROJECT (PR318)

- C. [14-0433](#) PRESENTATION BY THE SAN DIEGO FOUNDATION REGIONAL OUTREACH MANAGER ZANETA ENCARNACION, CHULA VISTA CHARITABLE FOUNDATION (CVCF) CHAIR MICHAEL MEACHAM, VICE CHAIR DEBBIE ESPE AND FINANCE CHAIR RICK RICHARDSON OF THE CVCF'S ANNUAL REPORT TO THE CITY COUNCIL
- D. [14-0408](#) UPDATE ON CITY NOW, THE CITY OF CHULA VISTA'S CONTINUOUS IMPROVEMENT PROGRAM: DEVELOPMENT SERVICES DEPARTMENT DOCUMENT HANDLING AND STORAGE

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. [14-0443](#) APPROVAL OF MINUTES of June 10 and 17, and July 8, 2014.
- Staff Recommendation:* Council approve the minutes.
2. [14-0444](#) WRITTEN COMMUNICATIONS
- Letter of resignation from Rebecca Kelley, International Friendship Commission.
- Staff Recommendation:* Council accept the resignation.
3. [14-0436](#) ORDINANCE NO. 3314 OF THE CITY OF CHULA VISTA AMENDING: CHULA VISTA MUNICIPAL CODE SECTION 13.14.090 (SEWER CAPACITY CHARGE); THE CITY'S MASTER FEE SCHEDULE (CHAPTER 12 - SEWER FEES); AND THE CITY'S SUBDIVISION MANUAL (SECTION 3-300 - SEWER DESIGN CRITERIA), TO MODIFY THE SEWER CAPACITY CHARGE AND THE WASTEWATER UNIT GENERATION RATES (SECOND READING AND ADOPTION)
- Department:* Public Works Department
- Staff Recommendation:* Council adopt the ordinance.

4. [14-0437](#) ORDINANCE NO. 3315 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 9.13 OF THE CHULA VISTA MUNICIPAL CODE REGULATING THE LICENSING AND OPERATIONAL STANDARDS FOR SEXUALLY ORIENTED BUSINESSES (SECOND READING AND ADOPTION)

Department: City Attorney

Staff Recommendation: Council adopt the ordinance.

5. [14-0438](#) ORDINANCE NO. 3316 OF THE CITY OF CHULA VISTA AMENDING TITLE 19 OF THE CHULA VISTA MUNICIPAL CODE REGULATING PLANNING AND ZONING (SECOND READING AND ADOPTION)

Department: City Attorney

Staff Recommendation: Council adopt the ordinance.

6. [14-0358](#) A. RESOLUTION NO. 2014-142 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA REQUESTING THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM TO APPROVE THE USE CITY OF CHULA VISTA PRIOR-YEAR UNALLOCATED TRANSPORTATION DEVELOPMENT ACT ARTICLE 4.0 FUNDS IN THE AMOUNT OF \$177,800, CURRENTLY HELD BY THE COUNTY OF SAN DIEGO FOR THE PURCHASE AND INSTALLATION OF A PROGRAMMABLE LOGIC CONTROLLER FOR THE NATURAL GAS COMPRESSOR STATION, REFURBISHING THE NATURAL GAS DRYER, AND REHABILITATION OF THE PUBLIC WORKS CENTER/TRANSIT YARD BUILDINGS AND AUTHORIZING THE APPROPRIATION OF \$177,800 OF TRANSPORTATION DEVELOPMENT ACT FUNDS TO THE CAPITAL EXPENSE CATEGORY OF THE TRANSIT CAPITAL PROJECT FUND (4/5 VOTE REQUIRED)

B. RESOLUTION NO. 2014-143 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING INCREASING THE TRUSTAR ENERGY CONTRACT LIMIT ABOVE \$100,000 TO PURCHASE AND INSTALL THE PROGRAMMABLE LOGIC CONTROLLER AND MAINTAIN THE NATURAL GAS COMPRESSOR STATION

Department: Public Works Department

Staff Recommendation: Council adopt the resolutions.

7. [14-0389](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTIONS 1.04.010, 2.66.310 AND 2.66.330 DELEGATING AUTHORITY TO PARK RANGER TO ISSUE INFRACTION CITATIONS AND GENERAL UPDATES TO CHAPTER 2.66 (FIRST READING)

Department: Public Works Department

Staff Recommendation: Council place the ordinance on first reading.

8. [14-0419](#) A. RESOLUTION NO. 2014-144 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$386,310 UNDER THE PRE-DISASTER MITIGATION GRANT PROGRAM THROUGH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR BRUSH CLEARANCE IN RICE CANYON AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS OR HIS DESIGNEE THE POWER TO EXECUTE IN THE NAME OF THE CITY OF CHULA VISTA ALL NECESSARY GRANT DOCUMENTS, INCLUDING BUT NOT LIMITED TO APPLICATIONS, AGREEMENTS, AMENDMENTS TO SECURE THE GRANT FUNDS; APPROPRIATING \$386,310 IN GRANT FUNDING TO THE CIP EXPENSE CATEGORY OF THE FEDERAL GRANTS FUND FOR THE NEWLY ESTABLISHED "BRUSH CLEARANCE IN RICE CANYON" CIP OP225; AND TRANSFERRING \$133,333 FROM FIRE DEPARTMENT'S NON CIP PROJECTS EXPENDITURE CATEGORY TO CIP OP225. (4/5 VOTE REQUIRED)

B. RESOLUTION NO. 2014-145 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DESIGNATING THE CITY'S AGENTS TO PROVIDE ALL NECESSARY ASSURANCES AND AGREEMENTS REQUIRED BY THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES

Department: Public Works Department

Staff Recommendation: Council adopt the resolutions

9. [14-0392](#) RESOLUTION NO. 2014-146 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A TWO-PARTY AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND RECON ENVIRONMENTAL, INC. TO SERVE AS THE OTAY RANCH PRESERVE STEWARD/BIOLOGIST, AND AUTHORIZING THE CITY MANAGER TO EXECUTE UP TO FOUR 1-YEAR EXTENSIONS, AND ANY RELATED DOCUMENTS IN CONJUNCTION WITH IMPLEMENTING THE AGREEMENT

Department: Development Services Department - Advance Planning Division

Staff Recommendation: Council adopt the resolution.

10. [14-0421](#) A. RESOLUTION NO. 2014-147 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE COMPENSATION SCHEDULE AND CLASSIFICATION PLAN TO REFLECT THE ADDITION AND REMOVAL OF VARIOUS POSITION TITLES

B. RESOLUTION NO. 2014-148 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2014-2015 COMPENSATION SCHEDULE AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5

C. RESOLUTION NO. 2014-149 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE AUTHORIZED POSITION COUNT IN THE ADMINISTRATION AND ANIMAL CARE FACILITY DEPARTMENTS TO REFLECT THE PROPOSED TITLE CHANGES

D. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.05.010 RELATING TO THE ESTABLISHMENT OF UNCLASSIFIED POSITIONS TO REMOVE ASSISTANT TO THE CITY MANAGER/CONTINUOUS IMPROVEMENT MANAGER AND ADD PERFORMANCE AND ORGANIZATIONAL DEVELOPMENT MANAGER (FIRST READING) (4/5 VOTE REQUIRED)

Department: Human Resources Department

Staff Recommendation: 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.

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. [14-0449](#) CONSIDERATION OF UPDATING THE WESTERN TRANSPORTATION DEVELOPMENT IMPACT FEE TO MITIGATE TRANSPORTATION IMPACTS WITHIN WESTERN CHULA VISTA, AMENDING THE WESTERN TRANSPORTATION DEVELOPMENT IMPACT FEE BENEFIT AREA, AND ESTABLISHING THE BAYFRONT TRANSPORTATION DEVELOPMENT IMPACT FEE

Department: Public Works Department

Staff Recommendation: Council open the public hearing and continue the item to August 5, 2014

12. [14-0448](#) CONSIDERATION OF ACCEPTING A STAFF REPORT RECOMMENDING AN UPDATED TRANSPORTATION DEVELOPMENT IMPACT FEE TO MITIGATE TRANSPORTATION IMPACTS WITHIN THE CITY'S EASTERN TERRITORIES AND AMENDING CHAPTER 3.54 OF THE MUNICIPAL CODE TO MODIFY THE EXISTING TRANSPORTATION DEVELOPMENT IMPACT FEE

Department: Public Works Department

Staff Recommendation: Council open the public hearing and continue the item to August 5, 2014.

13. [14-0420](#) The ordinance was placed on first reading at the meeting of July 23, 2014. Consideration of the resolution was continued to the meeting of August 5, 2014.

CONSIDERATION OF GRANTING A WASTE MANAGEMENT FRANCHISE RENEWAL TO ALLIED WASTE SERVICES, INC. (DBA REPUBLIC SERVICES OF CHULA VISTA)

A. ORDINANCE OF THE CITY OF CHULA VISTA GRANTING A WASTE MANAGEMENT FRANCHISE RENEWAL TO ALLIED WASTE SERVICES, INC. (DBA REPUBLIC OF CHULA VISTA) ON THE TERMS PRESENTED UNTIL JUNE 30, 2024 WITH TWO OPTIONS TO EXTEND UNTIL JUNE 30, 2031 AND JUNE 30, 2039, RESPECTIVELY, SUBJECT TO THE CITY'S DETERMINATION OF SATISFACTORY PERFORMANCE AND AUTHORIZING THE MAYOR TO EXECUTE SAME (FIRST READING)

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDED AND RESTATED OTAY LANDFILL EXPANSION AGREEMENT BETWEEN THE CITY AND ALLIED WASTE OF NORTH AMERICA, INC. (DBA OTAY LANDFILL, INC.) AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME

Department: Public Works Department

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

14. [14-0393](#) CONSIDERATION OF AN ADDENDUM TO THE ENVIRONMENTAL IMPACT REPORT FOR THE CHULA VISTA BAYFRONT MASTER PLAN AND APPROVING THE AMENDED SPECIFIC PLAN OF THE CHULA VISTA LOCAL COASTAL PROGRAM

A. RESOLUTION NO. 2014-150 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA CONSIDERING AN ADDENDUM TO THE ENVIRONMENTAL IMPACT REPORT FOR THE CHULA VISTA BAYFRONT MASTER PLAN (UPD#83356-EIR-658/SCH#2005081077), MAKING CERTAIN FINDINGS AND APPROVING THE AMENDED LAND USE PLAN OF THE LOCAL COASTAL PROGRAM AND DIRECTING STAFF TO FORWARD THE SAME TO THE CALIFORNIA COASTAL COMMISSION

B. ORDINANCE OF THE CITY OF CHULA VISTA APPROVING THE AMENDED SPECIFIC PLAN OF THE CHULA VISTA LOCAL COASTAL PROGRAM, AMENDING CHULA VISTA MUNICIPAL CODE CHAPTERS 19.81 THROUGH 19.87, AND MAKING CERTAIN FINDINGS WITH REGARD THERETO (FIRST READING)

Department: Development Services Department - Current Planning Division

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

15. [14-0407](#) CONSIDERATION OF ANNEXATION OF TERRITORY (OTAY RANCH VILLAGE 8 WEST) TO COMMUNITY FACILITIES DISTRICT NO. 97-2 (PRESERVE MAINTENANCE DISTRICT)

A. RESOLUTION NO. 2014-151 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 97-2 (PRESERVE MAINTENANCE DISTRICT), MAKING CERTAIN DETERMINATIONS AND AUTHORIZING SUBMITTAL OF LEVY OF SPECIAL TAXES TO THE QUALIFIED ELECTORS OF CERTAIN TERRITORY PROPOSED TO BE ANNEXED TO COMMUNITY FACILITIES DISTRICT NO. 97-2 (PRESERVE MAINTENANCE DISTRICT) AND IMPROVEMENT AREA "C" THERETO

B. RESOLUTION NO. 2014-152 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 97-2 (PRESERVE MAINTENANCE DISTRICT), DECLARING THE RESULTS OF A SPECIAL ELECTION IN THAT TERRITORY DESIGNATED AS COMMUNITY FACILITIES DISTRICT NO. 97-2 (PRESERVE MAINTENANCE DISTRICT), IMPROVEMENT AREA "C," ANNEXATION NO. 9, AND ADDING SUCH TERRITORY TO SUCH IMPROVEMENT AREA

Department: Development Services Department

Staff Recommendation: Council conduct the public hearing, adopt resolution A, direct City Clerk to conduct special election; if levy of taxes is approved by voters, adopt resolution B.

BOARD AND COMMISSION REPORTS

16. [14-0440](#) RESOLUTION NO. 2014-153 OF THE CITY COUNCIL (A) APPROVING DRAFT MODIFICATIONS TO CHARTER SECTIONS 1009 (REGARDING PUBLIC WORKS CONTRACTING), AND 1010 AND 1011 (REGARDING CITY CONTRACTING GENERALLY) IN ORDER TO ENHANCE EFFICIENCY AND FLEXIBILITY IN CITY PROCUREMENT PRACTICES WHILE PRESERVING CHECKS AND BALANCES; AND (B) DIRECTING STAFF TO PREPARE THE ITEM FOR COUNCIL CONSIDERATION FOR PLACEMENT ON THE NOVEMBER 4, 2014 BALLOT

Staff Recommendation: Council adopt the Resolution approving the proposed Charter Amendment language and directing staff to prepare the necessary documents and analysis for final Council consideration at the August 5th Council meeting for placement on the November 4, 2014 ballot.

CITY MANAGER'S REPORTS

MAYOR'S REPORTS

17. [14-0446](#) CONSIDERATION OF INCLUDING ON THE AUGUST 5, 2014 AGENDA AN ITEM PLACING A MEASURE ON THE NOVEMBER 4, 2014 BALLOT AMENDING THE CHULA VISTA CHARTER TO ELIMINATE THE REQUIREMENT OF A RUN-OFF ELECTION WHEN A CANDIDATE RECEIVES A MAJORITY OF THE VOTES CAST IN A GENERAL ELECTION OR A SPECIAL ELECTION HELD TO FILL A VACANCY

COUNCILMEMBERS' COMMENTS

ADJOURNMENT

to the Regular City Council Meeting on August 5, 2014, at 2:00 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*

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