



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

Maria V. Kachadoorian, City Manager
Glen R. Googins, City Attorney
Kerry K. Bigelow, City Clerk

Tuesday, December 1, 2020

5:00 PM

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

REGULAR MEETING OF THE CITY COUNCIL

PURSUANT TO THE GOVERNOR OF THE STATE OF CALIFORNIA'S EXECUTIVE ORDER N-29-20, AND IN THE INTEREST OF THE PUBLIC HEALTH AND SAFETY, MEMBERS OF THE CITY COUNCIL AND STAFF MAY PARTICIPATE IN THIS MEETING VIA TELECONFERENCE. IN ACCORDANCE WITH THE EXECUTIVE ORDER, THE PUBLIC MAY VIEW THE MEETING ON TELEVISION AND/OR ONLINE AND NOT IN THE COUNCIL CHAMBERS.

HOW TO WATCH: Watch the meeting via livestream at https://chulavista.legistar.com/Calendar.aspx, on AT&T U-verse channel 99 (throughout the County), and on Cox Cable channel 24 (only in Chula Vista). Recorded meetings are also aired on Wednesdays at 7 p.m. (both channels) and are archived on the City's website.

HOW TO SUBMIT COMMENTS: Visit the online eComment portal for this meeting at: https://chulavista.legistar.com/Calendar.aspx. The commenting period will be open shortly after the agenda is published will remain open through the meeting. All comments will be available to the public and the City Council using the eComment portal. Comments must be received prior to the time the Mayor calls for the close of the commenting period. Comments received after such time will not be considered by the City Council. If you have difficulty or are unable to submit a comment, please contact the City Clerk's Office at cityclerk@chulavistaca.gov or (619) 691-5041.

ACCESSIBILITY: Individuals with disabilities are invited to request modifications or accommodations in order to access and/or participate in a City meeting by contacting the City Clerk's Office at cityclerk@chulavistaca.gov or (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.

***The City of Chula Vista is relying on commercial technology to livestream and accept public comments via Granicus, Inc. With the increase of virtual meetings, most platforms are working to scale their systems to meet the new demand. If we have technical difficulties, we will resolve them as quickly as possible. City staff will take all possible measures to ensure a publicly accessible experience. ***

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. [20-0484](#) COVID-19 UPDATE BY CITY OF CHULA VISTA EMERGENCY SERVICES COORDINATOR MARLON KING
- B. [20-0478](#) COVID-19 UPDATE BY MARKETING AND COMMUNICATIONS MANAGER ANNE STEINBERGER ON COMMUNITY SUPPORT EFFORTS
- C. [20-0492](#) PRESENTATION OF A PROCLAMATION COMMENDING FIRE DEPARTMENT DEPUTY CHIEF JEFF PETER, RECOGNIZING 30 YEARS OF DEDICATED SERVICE

CONSENT CALENDAR (Items 1 - 12)

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 comment on one of these items, do so at <https://chulavista.legistar.com/Calendar.aspx>

- 1. [20-0500](#) APPROVAL OF MINUTES of March 17, April 7 and 21, and May 5, 2020.

Recommended Action: Council approve the minutes.

- 2. [20-0482](#) ORDINANCE NO. 3495 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.26 OF THE CHULA VISTA MUNICIPAL CODE TO ESTABLISH ENERGY UPGRADE REQUIREMENTS FOR ADDITIONS AND REMODELS TO SINGLE FAMILY HOMES AND CONDOS (SECOND READING AND ADOPTION)

Department: Economic Development Department

Environmental Notice: The Project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act State Guidelines Section 15308 Class 8 (Actions by Regulatory Agencies for Protection of the Environment) and Section 15301 Class 1 (Existing Facilities). 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 adopt the ordinance.

3. [20-0483](#) ORDINANCE NO. 3496 OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.05.010 ADDING THE UNCLASSIFIED POSITION TITLE OF HUMAN RESOURCES MANAGER AND DELETING THE HUMAN RESOURCES OPERATIONS MANAGER AND PERFORMANCE AND ORGANIZATIONAL DEVELOPMENT MANAGER POSITION TITLES (SECOND READING AND ADOPTION) (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.
- Recommended Action:* Council adopt the ordinance.
4. [20-0496](#) RESOLUTION NO. 2020-262 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN ALTERNATIVE DISPUTE RESOLUTION AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE CHULA VISTA POLICE OFFICER'S ASSOCIATION
- 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.
- Recommended Action:* Council adopt the resolution.
5. [20-0453](#) RESOLUTION NO. 2020-263 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ISSUANCE, SALE AND DELIVERY OF MULTIFAMILY HOUSING REVENUE NOTES OF THE CHULA VISTA HOUSING AUTHORITY FOR OTAY RANCH APARTMENTS
- 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/certified Otay Ranch Village 8 West Sectional Planning Area and Tentative Map Final Environmental Impact Report (FEIR 10-03) - SCH No. 2010062093. Thus, no further CEQA review is necessary.
- Recommended Action:* Council adopt the resolution.

6. [20-0451](#) RESOLUTION NO. 2020-264 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2020/21 CIP PROGRAM BUDGET BY APPROPRIATING \$50,000 FROM THE AVAILABLE BALANCE OF THE TRANSPORTATION DEVELOPMENT IMPACT FEE FUND TO TRF0389, "TRAFFIC SIGNAL IMPROVEMENTS ALONG EAST H STREET, OTAY LAKES ROAD AND TELEGRAPH CANYON ROAD"; APPROPRIATING \$120,000 FROM THE AVAILABLE BALANCE OF THE TRAFFIC SIGNAL FUND TO TRF0402, "TRAFFIC SIGNAL MODIFICATIONS AT BROADWAY & F STREET AND BROADWAY & G STREET"; AND TRANSFERRING \$115,000 IN TRANSNET APPROPRIATIONS FROM STM0369, "BIKEWAY FACILITIES GAP PROJECT", TO STM0384, "BIKE LANE IMPROVEMENTS ON BROADWAY - PHASE I" (4/5 VOTE REQUIRED)

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 Section 15304 Class 4 (Minor Alterations to Land).

Recommended Action: Council adopt the resolution.

7. [20-0417](#) RESOLUTION NO. 2020-265 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2020/21 CIP PROGRAM BUDGET BY ESTABLISHING A NEW CIP PROJECT, DRN0217 "CORRUGATED METAL PIPE REPAIR IN THE RIGHT OF WAY FY2020/21"; AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

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), Section 15302 Class 2 (Replacement or Reconstruction), and Section 15061(b)(3).

Recommended Action: Council adopt the resolution.

8. [20-0498](#) RESOLUTION NO. 2020-266 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA RATIFYING AND CONFIRMING EMERGENCY ORDER 002-2020 (AMENDED NOVEMBER 19, 2020), PROVIDING THAT A RESPONSIBLE PARTY SHALL BE ALLOWED A MINIMUM OF 24 HOURS TO CORRECT VIOLATION OF A PUBLIC HEALTH ORDER, AND EMERGENCY ORDER 006-2020 (AMENDED NOVEMBER 23, 2020), EXPANDING PROVISIONS AND REGULATIONS RELATED TO OUTDOOR BUSINESS OPERATIONS
- Department:* City Attorney & 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. Notwithstanding the foregoing, the activity also qualifies for an exemption pursuant to Section 15061(b)(3) of the California Environmental Quality Act State Guidelines.
- Recommended Action:* Council adopt the resolution.
9. [20-0479](#) RESOLUTION NO. 2020-267 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE FORMAL BID REQUIREMENT AND ACCEPTING A PROPOSAL FROM MOTOROLA SOLUTIONS FOR COMMANDCENTRAL AWARE AND AERIAL SUITE SOFTWARE SOLUTION
- Department:* 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.
- Recommended Action:* Council adopt the resolution.
10. [20-0488](#) RESOLUTION NO. 2020-268 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT WITH THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL, ACCEPTING \$19,500 IN GRANT FUNDS AND APPROPRIATING SAID FUNDS TO THE POLICE GRANTS SECTION OF THE STATE GRANTS FUND (4/5 VOTE REQUIRED)
- Department:* Police Department
- Environmental Notice:* This 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.

11. [20-0481](#) A. RESOLUTION NO. 2020-269 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE CITY-INITIATED TOW LICENSE FEE

B. RESOLUTION NO. 2020-270 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE CITY-INITIATED TOW AND STORAGE RATE SCHEDULE

Department: 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.

Recommended Action: Council adopt the resolutions.

12. [20-0497](#) RESOLUTION NO. 2020-271 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACTING AS THE LEGISLATIVE BODY OF THE BAYFRONT PROJECT SPECIAL TAX FINANCING DISTRICT, LEVYING THE SPECIAL TAX THEREIN FOR FISCAL YEAR 2020-2021

Department: Finance Department

Environmental Notice: The Director of Development Services has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines because the proposed activity consists of the creation of a governmental fiscal/funding mechanism which does not result in a physical change in the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA.

Recommended Action: Council adopt the resolution.

ITEMS REMOVED FROM THE CONSENT CALENDAR

PUBLIC COMMENTS

Persons commenting 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. If you wish to comment, you may do so at <https://chulavista.legistar.com/Calendar.aspx>

13. [20-0485](#) PUBLIC COMMENTS RECEIVED for December 1 and 3, 2020

BOARD AND COMMISSION REPORTS

The Item(s) listed in this section of the agenda have been brought forward by a City board, commission, or committee and will be considered individually by the Council. 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.

14. [20-0458](#) PRESENTATION BY MEASURE P CITIZENS' OVERSIGHT COMMITTEE CHAIR DAVID GARCIAS ON THE MEASURE P COC ANNUAL REPORT COVERING THE PERIOD OF JULY 1, 2018 THROUGH JUNE 30, 2019 AND AN UPDATE ON MEASURE P PROJECTS

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.

Recommended Action: Council hear the report.

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 comment on one of these items, you may do so at <https://chulavista.legistar.com/Calendar.aspx>

15. [20-0471](#) CONSIDERATION OF ADOPTING THE CAFETERIA BENEFITS PLAN FOR 2021 AND APPROVING THE AMENDED COMPENSATION SUMMARY FOR ALL UNREPRESENTED EMPLOYEES AND ELECTED OFFICIALS

A. RESOLUTION NO. 2020-272 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE CITY OF CHULA VISTA CAFETERIA BENEFITS PLAN FOR 2021

B. RESOLUTION NO. 2020-273 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDED COMPENSATION SUMMARY FOR ALL UNREPRESENTED EMPLOYEES AND ELECTED OFFICIALS, INCLUDING AUTHORIZATION FOR THE MAYOR TO EXECUTE ANY NECESSARY CONTRACT AMENDMENTS TO IMPLEMENT SAID AMENDED COMPENSATION SUMMARY

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.

Recommended Action: Council adopt the resolutions.

16. [20-0487](#) CONSIDERATION OF RECEIPT OF THE QUARTERLY FINANCIAL REPORT, MAKING VARIOUS AMENDMENTS TO THE FISCAL YEAR 2020/21 BUDGET AND APPROPRIATING FUNDS

A. QUARTERLY FINANCIAL REPORT FOR THE QUARTER ENDING SEPTEMBER 30, 2020

B. RESOLUTION NO. 2020-274 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING VARIOUS AMENDMENTS TO THE FISCAL YEAR 2020/21 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.

Recommended Action: Council receive the report and adopt the resolution.

CITY MANAGER'S REPORTS

MAYOR'S REPORTS

17. [20-0489](#) RATIFICATION OF APPOINTMENT OF MARIO SALZMANN TO THE BOARD OF ETHICS

COUNCILMEMBERS' COMMENTS

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).

18. [20-0441](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9d)(2) [or](3): One [1] Case. City of Chula Vista Claim No. CV20153.

(THIS ITEM WAS CONTINUED FROM 11/17/2020.)

ADJOURNMENT

to the regular City Council meeting on December 8, 2020, 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, please contact the Office of the City Clerk at cityclerk@chulavistaca.gov or (619) 691-5041.

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NOTICE OF REVIEW AND PENDING APPROVAL OF FINAL MAP

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 December 1, 2020, will approve the following final map:

Chula Vista Tract No. 180001, Eastlake Park Place - EY0803

Specifically, the City Engineer has caused the map 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