



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, September 25, 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. 18-0367 PRESENTATION BY METROPOLITAN TRANSIT SYSTEM (MTS) DIRECTOR OF MARKETING AND COMMUNICATIONS ROB SCHUPP REGARDING SYSTEM UPDATES AND DECLARING OCTOBER 2, 2018 RIDE FREE DAY ON MTS TRANSIT SYSTEM

CONSENT CALENDAR (Items 1 - 11)

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. [18-0440](#) WRITTEN COMMUNICATIONS
 - A. Letter of resignation from Mark Valen, Wildlife Advisory Group
 - B. Memo from Councilmember Padilla requesting an excused absence from the September 11, 2018 council meeting.
Recommended Action: Council accept the resignation and excuse the absence.

2. [18-0283](#)
 - A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING A LANDSCAPE MAINTENANCE CONTRACT BETWEEN THE CITY AND AZTEC LANDSCAPING, INC. FOR LANDSCAPE MAINTENANCE SERVICES IN BID GROUP 1, OPEN SPACE DISTRICT 20, ZONES 4, 5, AND 6 IN THE AMOUNT OF \$433,882, AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT, AND APPROPRIATING FUNDS ACCORDINGLY (4/5 VOTE REQUIRED)

 - B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING A LANDSCAPE MAINTENANCE CONTRACT BETWEEN THE CITY AND AZTEC LANDSCAPING, INC. FOR LANDSCAPE MAINTENANCE SERVICES IN BID GROUP 2 OPEN SPACE DISTRICTS 14, 15, AND 24 IN THE AMOUNT OF \$132,571

 - C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING A LANDSCAPE MAINTENANCE CONTRACT BETWEEN THE CITY AND TERRACARE ASSOCIATES, LLC. FOR LANDSCAPE MAINTENANCE SERVICES IN BID GROUP 3 OPEN SPACE FOR COMMUNITY FACILITIES DISTRICT 13 -M OTAY RANCH VILLAGE 2 (NEW DEVELOPMENT) IN THE AMOUNT OF \$120,671, AND APPROPRIATING FUNDS ACCORDINGLY (4/5 VOTE REQUIRED)

D. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING A LANDSCAPE MAINTENANCE CONTRACT BETWEEN THE CITY AND TERRACARE ASSOCIATES, LLC. FOR LANDSCAPE MAINTENANCE SERVICES IN BID GROUP 4 COMMUNITY FACILITIES DISTRICT 8M OTAY RANCH VILLAGE 6 MCMILLIN (VILLAGE 6 MC) AND COMMUNITY FACILITIES DISTRICT 8M OTAY RANCH VILLAGE 6 OTAY RANCH (VILLAGE 6 OR) IN THE AMOUNT OF \$418,975, AND APPROPRIATING FUNDS ACCORDINGLY (4/5 VOTE REQUIRED)

Department: Public Works 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).

Recommended Action: Council adopt the resolutions.

3. [18-0443](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING CITY COUNCIL POLICY 570-02 AND APPROVING A SEWER SERVICE AGREEMENT BETWEEN CITY OF CHULA VISTA AND THE COUNTY OF SAN DIEGO FOR OTAY LAKES COUNTY PARK

Department: Engineering 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. In addition, 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 resolution.

4. [18-0409](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DECLARING A SHELTER CRISIS, WITHIN THE MEANING OF GOVERNMENT CODE SECTION 8698, ET SEQ; AUTHORIZING THE CITY MANAGER TO SEEK HOMELESS EMERGENCY AID PROGRAM (HEAP) FUNDS TO ADDRESS SAID SHELTER CRISIS AS PROVIDED FOR IN SB 850 AND THE 2018-19 BUDGET ACT; AND RELATED ACTIONS

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.

Recommended Action: Council adopt the resolution.

5. [18-0350](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT BY AND BETWEEN THE CITY OF CHULA VISTA AND THE SAN DIEGO UNIFIED PORT DISTRICT CREATING THE CHULA VISTA BAYFRONT FACILITIES FINANCING AUTHORITY; APPOINTING THE MAYOR TO THE GOVERNING BOARD OF THE CHULA VISTA BAYFRONT FACILITIES FINANCING AUTHORITY; AND APPOINTING THE COUNCILMEMBER REPRESENTING CITY COUNCIL DISTRICT 2 TO THE GOVERNING BOARD OF THE CHULA VISTA BAYFRONT FACILITIES FINANCING AUTHORITY

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.

Recommended Action: Council adopt the resolution.

6. [18-0387](#) REPORT GIVING NOTICE OF INTENT TO AMEND THE CONFLICT OF INTEREST CODE OF THE CITY OF CHULA VISTA AND DIRECTING THE CITY CLERK AND CITY ATTORNEY TO RETURN TO COUNCIL TO PRESENT THE PROPOSED AMENDMENTS WITHIN 90 DAYS

Department: City Clerk

Environmental Notice: The Development Services Director 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(b)(5) of the State CEQA Guidelines because it an administrative activity that will not result in direct or indirect physical changes in the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Thus, no environmental review is necessary.

Recommended Action: Council accept the report.

7. [18-0395](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FY 2019 CAPITAL IMPROVEMENT PROGRAM BUDGET BY ESTABLISHING NEW CIP PROJECTS: “ROHR PARK RESTROOMS (MEASURE P),” “FIRE STATION 2 FUELING TANK REPLACEMENT (MEASURE P),” “MAX FIELD/LOMA VERDE ACCESSIBILITY STUDY (MEASURE P),” AND “FIRE STATIONS REPAIR/REPLACEMENT PH II (MEASURE P);” AMENDING THE INFRASTRUCTURE, FACILITIES, AND EQUIPMENT EXPENDITURE PLAN TO INCLUDE SAID PROJECTS; AND AMENDING THE FY 2019 OPERATING AND CIP PROGRAM BUDGETS TO APPROPRIATE FUNDS ACCORDINGLY

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. In addition, 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 resolution.

8. [18-0442](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING HOUSEHOLD-RELATED PARKS (HRP) GRANT FUNDS FROM THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT; AMENDING THE FY 2019 OPERATING AND CAPITAL IMPROVEMENT PROGRAM BUDGETS IN THE AMOUNT OF \$629,450; ESTABLISHING A NEW CIP PROJECT, “CIVIC CENTER LIBRARY OUTDOOR DECK ADDITION” (GGV0244); AND APPROPRIATING THE HRP GRANT AWARD (4/5 VOTE REQUIRED)

Department: Finance Department

Environmental Notice: The Project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act State Guidelines Section 15303 Class 3 (New Construction or Conversion of Small Structures) and/or Section 15301 Class 1 (Existing Facilities).

Recommended Action: Council adopt the resolution.

9. [18-0432](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE BIDDING REQUIREMENT AND APPROVING THE SECOND AMENDMENT TO THE MEDICAL DIRECTOR AGREEMENT BETWEEN THE REGENTS OF THE UNIVERSITY OF CALIFORNIA AND THE CITY OF CHULA VISTA FOR MEDICAL DIRECTOR SERVICES SUPPORTING THE FIRE DEPARTMENT'S ADVANCE LIFE SUPPORT PROGRAM
- 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.
- Recommended Action:* Council adopt the resolution.
10. [18-0419](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING COMPETITIVE BIDDING AND APPROVING AN AGREEMENT WITH SOUTH COAST MEDICAL CLINIC TO PROVIDE MEDICAL SERVICES TO THE CITY JAIL
- 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.
11. [18-0420](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$62,815 FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY AND APPROPRIATING SAID FUNDS TO THE POLICE GRANTS SECTION OF THE FEDERAL GRANTS FUND FOR THE URBAN AREA SECURITY INITIATIVE (4/5 VOTE REQUIRED)
- 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.

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.

12. [18-0376](#) ORDINANCE OF THE CITY OF CHULA VISTA CONSOLIDATING THE EASTERN TRANSPORTATION DEVELOPMENT IMPACT FEE, WESTERN TRANSPORTATION DEVELOPMENT IMPACT FEE, AND BAYFRONT DEVELOPMENT IMPACT FEE CHAPTERS OF THE CHULA VISTA MUNICIPAL CODE BY REPEALING AND REPLACING CHAPTER 3.54 (TRANSPORTATION DEVELOPMENT IMPACT FEE) AND REPEALING CHAPTER 3.55 (WESTERN AND BAYFRONT TRANSPORTATION DEVELOPMENT IMPACT FEES) (FIRST READING)

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.

Recommended Action: Council conduct the public hearing and place the ordinance on first reading.

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.

13. [18-0260](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE 2014 COMMUNITY AND MUNICIPAL GREENHOUSE GAS EMISSIONS INVENTORY REPORTS

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. In addition, 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 resolution.

14. [18-0325](#) PRESENTATION OF FISCAL YEAR 2020 - 2029 GENERAL FUND LONG-TERM FINANCIAL PLAN

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 accept the report.

CITY MANAGER'S REPORTS

15. [18-0423](#) REPORT REGARDING STATUS OF EXCLUSIVE NEGOTIATING AGREEMENT (ENA) WITH THE UNIVERSITY OF SAINT KATHERINE AND REQUEST FOR INPUT FROM CITY COUNCIL ON CITY MANAGER'S PENDING NINETY (90) DAY EXTENSION OF THE ENA

MAYOR'S REPORTS

16. [18-0448](#) RATIFICATION OF APPOINTMENT OF ANTHONY SCLAFANI, BOARD OF APPEALS AND ADVISORS

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).

17. [18-0394](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): [1] Case

(This item was continued from 9/18/2018.)

ADJOURNMENT

to the Regular City Council Meeting on October 2, 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*

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