

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MINISTERIAL PERMIT PROCESS TO ALLOW BUSINESSES ALONG THIRD AVENUE BETWEEN E AND G STREETS TO EXPAND THEIR OPERATIONS INTO THE PUBLIC RIGHTS-OF-WAY WITH: 1) SOCIAL DISTANCING AND QUEUING AREAS; 2) SIDEWALK CAFÉS; AND/OR 3) CURB CAFÉS

WHEREAS, on May 5, 2020, in response to the ongoing COVID-19 pandemic, the City Council approved Chula Vista’s COVID-19 90-Day Economic Recovery Plan; and

WHEREAS, one tenet of Chula Vista’s COVID-19 90-Day Economic Recovery Plan is the exploration and establishment of business-friendly City policies and programs to create an environment that minimizes costs, burdens and barriers for Chula Vista businesses; and

WHEREAS, the establishment of a no fee permit process to allow businesses on Third Avenue between E and G Streets to encroach in the public right-of-way with expanded operations, would facilitate a safe re-opening and recovery of Chula Vista’s local economy; and

WHEREAS, in order for qualified business to be permitted to encroach in the public right-of-way for expanded operations, they will be required to enter into a Temporary Right of Entry License Agreement with the City; and

WHEREAS, Chula Vista Municipal Code (CVMC) section 12.28.020 requires that the City Council authorize by resolution certain encroachments in the public rights-of-way, including the proposed encroachments identified in this resolution and the accompanying agenda statement; and

WHEREAS, pursuant to CVMC 12.28.020, the City Engineer has submitted his recommendation to the City Manager for the City Council to approve the proposed encroachments into the public rights-of-way as identified in this resolution and the accompanying agenda statement; and

WHEREAS, pursuant to CVMC 12.28.020, if Council authorizes proposed encroachment into the public rights-of-way as provided in this resolution, the City Engineer shall issue the required permits.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it approves a ministerial permit process, subject to approval by the City Manager or designee, for businesses along Third Avenue between E and G Streets to expand their operations into the public rights-of-way for the following purposes: 1) social distancing and queuing areas; 2) sidewalk cafés; and/or, 3) curb cafés.

BE IT RESOLVED by the City Council of the City of Chula Vista that it authorizes Temporary Right of Entry License Agreement, in the form presented, with such minor modifications as may be required or approved by the City Attorney, a copy of which shall be kept on file in the Office of the City Clerk, and authorizes and directs the City Engineer, or designee, to execute same.

Presented by

Approved as to form by

ERIC CROCKETT
Deputy City Manager

GLEN R. GOOGINS
City Attorney