



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
Andrea Cardenas - Councilmember - District 4

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

Tuesday, February 16, 2021

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 Cardenas, Galvez, McCann, Padilla and Mayor Casillas Salas

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE**SPECIAL ORDERS OF THE DAY**

- A. [21-0021](#) COVID-19 UPDATE BY CITY OF CHULA VISTA EMERGENCY SERVICES COORDINATOR MARLON KING
- B. [20-0527](#) PRESENTATION BY INTERIM CHIEF EXECUTIVE OFFICER, BILL CARNAHAN OF THE SAN DIEGO COMMUNITY POWER PHASE ONE LAUNCH UPDATE
- C. [21-0019](#) PRESENTATION BY CHULA VISTA POLICE CAPTAIN DON REDMOND OF THE POLICE DEPARTMENT'S LIVE 911
- D. [21-0030](#) PRESENTATION OF A PROCLAMATION TO KATHY AND ADAM SPARKS IN RECOGNITION OF MANGIA ITALIANO'S SIGNIFICANT CONTRIBUTIONS TO THE CITY AND RESIDENTS OF CHULA VISTA

CONSENT CALENDAR (Items 1 - 7)

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. [21-0018](#) APPROVAL OF MINUTES of August 4 and 25, and September 15 and 22, 2020.
Recommended Action: Council approve the minutes.
- 2. [21-0014](#)
 - A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACKNOWLEDGING RECEIPT OF COUNCIL POLICY NO. 220-01, THE CITY OF CHULA VISTA INVESTMENT POLICY AND GUIDELINES; AMENDING THE EXISTING POLICY; AND DELEGATING INVESTMENT ACTIVITY AUTHORITY TO THE DIRECTOR OF FINANCE/TREASURER
 - B. INVESTMENT REPORT FOR THE QUARTER ENDED DECEMBER 31, 2020

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 adopt the resolution and receive the report.

3. [20-0392](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE FIRST AMENDED AND RESTATED AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND SCG - SPICER CONSULTING GROUP, LLC. FOR SPECIAL TAX CONSULTANT SERVICES FOR ASSESSMENT DISTRICTS, COMMUNITY FACILITIES DISTRICTS, OPEN SPACE DISTRICTS AND ANNUAL SEWER ASSESSMENT ADMINISTRATION SERVICES

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 adopt the resolution.

4. [20-0558](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA TEMPORARILY WAIVING ALL LATE FEES IMPOSED UPON DELINQUENT PAYMENTS OF BUSINESS LICENSE FEES FOR THE CALENDAR YEAR 2021 RENEWAL PERIOD

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. 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.

5. [20-0560](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE 2021 ANNUAL REPORT FOR THE DOWNTOWN CHULA VISTA PROPERTY-BASED BUSINESS IMPROVEMENT DISTRICT

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.

Recommended Action: Council adopt the resolution.

6. [20-0550](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A JOINT USE AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND THE CITY OF CHULA VISTA FOR THE COLOCATION OF AN EXISTING CITY OF SAN DIEGO SOUTH METRO INTERCEPTOR SEWER PIPELINE IN A SEGMENT OF E STREET

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. In addition, 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.

7. [21-0029](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA (1) RESCINDING CITY COUNCIL RESOLUTION NO. 2021-001 AND CANCELLING THE AWARD OF THE CONTRACT FOR THE "MAJOR PAVEMENT REHABILITATION FY 2018/2019 (STM0397)" PROJECT TO FRANK AND SON PAVING, INC. AND (2) AWARDED THE PROJECT CONTRACT TO THE NEXT APPARENT LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, HAZARD CONSTRUCTION COMPANY, IN THE AMOUNT OF \$2,082,419.70

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 15303 class 3 (New Construction or Conversion of Small Structures).

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>

8. [21-0025](#) PUBLIC COMMENTS RECEIVED for February 16, 2021

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>

9. [20-0556](#) CONSIDERATION OF ESTABLISHING NEW GREENS FEES AT THE CHULA VISTA MUNICIPAL GOLF COURSE

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CHAPTER 8 (GREENS FEES) OF THE CITY'S MASTER FEE SCHEDULE AND ESTABLISHING NEW GREENS FEES AT THE CHULA VISTA MUNICIPAL GOLF COURSE

(THIS ITEM WAS PREVIOUSLY ON THE AGENDA OF 1/19/2021)

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.

Recommended Action: Council adopt the resolution.

10. [20-0557](#) CONSIDERATION OF ESTABLISHING ENERGY BENCHMARKING AND CONSERVATION REQUIREMENTS FOR MULTIFAMILY AND COMMERCIAL BUILDINGS

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.26 OF THE CHULA VISTA MUNICIPAL CODE TO ESTABLISH ENERGY BENCHMARKING AND CONSERVATION REQUIREMENTS FOR MULTIFAMILY AND COMMERCIAL BUILDINGS (FIRST READING)

(THIS ITEM WAS PREVIOUSLY ON THE AGENDA OF 1/5/2021.)

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). 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 place the ordinance on first reading.

11. [20-0570](#) CONSIDERATION OF APPROVING AMENDED AND RESTATED REVENUE SHARING AND JOINT COMMUNITY FACILITIES AGREEMENTS WITH THE SAN DIEGO UNIFIED PORT DISTRICT AND CHANGES TO THE RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAXES FOR THE BAYFRONT PROJECT SPECIAL TAX FINANCING DISTRICT

A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A THIRD AMENDED AND RESTATED REVENUE SHARING AGREEMENT BY AND AMONG THE CITY OF CHULA VISTA, THE SAN DIEGO UNIFIED PORT DISTRICT, AND THE CHULA VISTA BAYFRONT FACILITIES FINANCING AUTHORITY

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AMENDED AND RESTATED JOINT COMMUNITY FACILITIES AGREEMENT BY AND BETWEEN THE CITY OF CHULA VISTA AND THE SAN DIEGO UNIFIED PORT DISTRICT FOR THE CHULA VISTA BAYFRONT PROJECT SPECIAL TAX FINANCING DISTRICT

C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA, ACTING AS THE LEGISLATIVE BODY OF THE BAYFRONT PROJECT SPECIAL TAX FINANCING DISTRICT DECLARING ITS INTENTION TO CONSIDER CHANGES TO THE RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAXES AUTHORIZED TO BE LEVIED THEREIN AND EXPAND TERRITORY WHEREIN IMPROVEMENTS MAY BE LOCATED AND SERVICES MAY BE PROVIDED

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 resolutions.

12. [21-0010](#) CONSIDERATION OF ACCEPTING FEDERAL FUNDS AND APPLYING FOR STATE FUNDS FOR AN EMERGENCY RENTAL ASSISTANCE PROGRAM AND ENTERING INTO A CONTRACTOR/SERVICE PROVIDER AGREEMENT WITH SOUTH BAY COMMUNITY SERVICES
- A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE ACCEPTANCE OF A CONSOLIDATED APPROPRIATIONS ACT OF 2021 ALLOCATION FROM THE UNITED STATES DEPARTMENT OF TREASURY FOR AN EMERGENCY RENTAL ASSISTANCE PROGRAM AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE CITY TO PURSUE AND ACCEPT A BLOCK GRANT FROM THE STATE OF CALIFORNIA DEPARTMENT OF BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY (BCSH) FOR AN EMERGENCY RENTAL ASSISTANCE PROGRAM, AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE A STANDARD AGREEMENT WITH BCSH FOR THE IMPLEMENTATION OF A STATE EMERGENCY RENTAL ASSISTANCE PROGRAM PURSUANT TO SENATE BILL 91, AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)
- C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE BIDDING REQUIREMENTS PURSUANT TO CHULA VISTA MUNICIPAL CODE SECTION 2.56.070(B)(3) AND APPROVING A CONTRACTOR/SERVICE PROVIDER AGREEMENT WITH SOUTH BAY COMMUNITY SERVICES TO PROVIDE AN EMERGENCY RENTAL AND UTILITY ASSISTANCE PROGRAM FUNDED BY STATE AND FEDERAL CONSOLIDATED APPROPRIATIONS ACT OF 2021 ALLOCATIONS

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. Under NEPA, the activity qualifies for a Categorical Exclusion not subject to 24 CFR 50.19(b) (3), (11), and (12) of the Code of Federal Regulations.

Recommended Action: Council adopt the resolutions.

CITY MANAGER'S REPORTS

13. [21-0037](#) CITY MANAGER'S PROPOSED EMERGENCY ORDER, ACTING AS THE CITY'S DIRECTOR OF EMERGENCY OPERATIONS, TO CAP THIRD PARTY RESTAURANT DELIVERY FEES AT 15%, AND TO POTENTIALLY CAP RELATED SERVICE FEES, UNTIL SUCH TIME AS THE STATE TAKES PREEMPTIVE ACTION OR RESTAURANTS ARE ALLOWED TO OPERATE INDOORS, AND SOLICITING CITY COUNCIL/PUBLIC INPUT REGARDING SAME

MAYOR'S REPORTS

COUNCILMEMBERS' COMMENTS

CITY ATTORNEY'S REPORTS

CLOSED SESSION

Announcements of actions taken in Closed Session shall be made available by noon on the next business day following the Council meeting at the City Attorney's office in accordance with the Ralph M. Brown Act (Government Code 54957.7).

14. [21-0575](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)

Name of case:

A. Estate of Oral Nunis, Sr. by and through Roxie A. Nunis, et al. v. City of Chula Vista, San Diego Superior Court, Case No. 37-2020-43271-CU-CR-CTL;

B. Lucy Ludwig-Melendez, et al. v. City of Chula Vista, San Diego Superior Court, Case No. 37-2019-34737-CU-EI-CTL

15. [21-0576](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) [or] (3):

(2) Cases:

A. Claim presented 07/17/20; and

B. Claim re: Notice of Potential Liability, Request for Information, Request for Payment, and Request for Performance of Work Associated with Releases and Threatened Releases of Hazardous Substances at the San Diego Bay National Wildlife Refuge Site in Chula Vista and National City, California

ADJOURNMENT

in memory of James Alderete Borboa, October 28, 1925 - January 7, 2021.

to the regular City Council meeting on March 2, 2021, 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.

Sign up at www.chulavistaca.gov to receive email notifications when City Council agendas are published online.