



MEETING OF THE CITY COUNCIL

Agenda

Mary Casillas Salas, Mayor
Patricia Aguilar, Councilmember
Pamela Bensoussan, Councilmember
John McCann, Councilmember
Steve Miesen, Councilmember

Gary Halbert, City Manager
Glen R. Googins, City Attorney
Donna R. Norris, City Clerk

Tuesday, November 15, 2016

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, Bensoussan, McCann, Miesen and Mayor Casillas Salas

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

SPECIAL ORDERS OF THE DAY

- A. 16-0515 EMPLOYEE SERVICE RECOGNITION HONORING STAFF WITH MILESTONE SERVICE ANNIVERSARIES
B. 16-0549 PRESENTATION BY DR. EMERALD RANDOLPH REGARDING THE 2016 CHRISTMAS IN OCTOBER
C. 16-0528 PRESENTATION OF A PROCLAMATION TO SWEETWATER UNION HIGH SCHOOL DISTRICT DIRECTOR OF CURRICULUM AND INSTRUCTION ROMAN DEL ROSARIO PROCLAIMING NOVEMBER 13 THROUGH NOVEMBER 19, 2016 AS GEOGRAPHIC AWARENESS WEEK IN CHULA VISTA

- D. [16-0441](#) PRESENTATION OF A PROCLAMATION TO DEBBIE ESPE, CHAIR OF THE CHULA VISTA CHARITABLE FOUNDATION, PROCLAIMING NOVEMBER 15TH NATIONAL PHILANTHROPY DAY® IN THE CITY OF CHULA VISTA AND RECOGNIZING CHULA VISTA CHARITABLE FOUNDATION MEMBERS FOR THEIR EFFORTS TO IMPROVE THE CHULA VISTA COMMUNITY

CONSENT CALENDAR (Items 1 - 14)

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. [16-0545](#) APPROVAL OF MINUTES of November 3 and 8, 2016.
Staff Recommendation: Council approve the minutes.

2. [16-0546](#) ORDINANCE OF THE CITY OF CHULA VISTA ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CFD NO. 18M, AUTHORIZING THE LEVY OF A SPECIAL TAX IN CFD NO. 18M (SECOND READING AND ADOPTION)
Department: Development Services Department
Environmental Notice: The Project was adequately covered in previously adopted/certified Final Environmental Impact Report (EIR 13-01) for the Otay Ranch University Villages Project Comprehensive Sectional Planning Area (SPA) Plan Amendment. Thus, no further environmental review or documentation will be conducted or considered in connection with this action.
Staff Recommendation: Council adopt the ordinance.

3. [16-0437](#) A. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.06 OF THE CHULA VISTA MUNICIPAL CODE, ADMINISTRATIVE PROVISIONS FOR THE TECHNICAL BUILDING CODES (FIRST READING)

B. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.08 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA BUILDING CODE, 2016 EDITION (FIRST READING)

C. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.09 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA RESIDENTIAL CODE, 2016 EDITION (FIRST READING)

D. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.10 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA REFERENCED STANDARDS CODE, 2016 EDITION (FIRST READING)

E. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.12 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2016 EDITION (FIRST READING)

F. ORDINANCE OF THE CITY OF CHULA VISTA ADOPTING CHAPTER 15.14 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA EXISTING BUILDING CODE, 2016 EDITION (FIRST READING)

G. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.16 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA MECHANICAL CODE, 2016 EDITION (FIRST READING)

H. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.24 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA ELECTRICAL CODE, 2016 EDITION (FIRST READING)

I. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.26 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA ENERGY CODE, 2016 EDITION (FIRST READING)

J. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.28 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA PLUMBING CODE, 2016 EDITION (FIRST READING)

K. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.36 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA FIRE CODE, 2016 EDITION (FIRST READING)

Department: Development Services Department

Environmental Notice: The Project qualifies for a Class 8 Categorical Exemption pursuant to Section 15308 (Actions by Regulatory Agencies for Protection of the Environment) of the California Environmental Quality Act State Guidelines. Thus, no further environmental review is required. Notwithstanding the foregoing, the activity qualifies for an Exemption pursuant to Section 15061(b)(3) of the California Environmental Quality Act State Guidelines.

Staff Recommendation: Council place the ordinances on first reading.

4. [16-0444](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AGREEMENT BETWEEN ESGIL CORPORATION AND THE CITY OF CHULA VISTA TO PROVIDE BUILDING PERMIT PROCESSING, PLAN REVIEW AND INSPECTION SERVICES, ON AN AS-NEEDED BASIS, AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AGREEMENT BETWEEN BUREAU VERITAS NORTH AMERICA CORPORATION AND THE CITY OF CHULA VISTA TO PROVIDE BUILDING PERMIT PROCESSING, PLAN REVIEW AND INSPECTION SERVICES, ON AN AS-NEEDED BASIS, AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT

C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AGREEMENT BETWEEN CSG CONSULTANTS CORPORATION AND THE CITY OF CHULA VISTA TO PROVIDE BUILDING PERMIT PROCESSING, PLAN REVIEW AND INSPECTION SERVICES, ON AN AS-NEEDED BASIS, AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT

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.

Staff Recommendation: Council adopt the resolutions.

5. [16-0502](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE QUALIFICATIONS TO SERVE ON, AND THE APPOINTMENT PROCESS FOR, THE SOUTH BAY WILDLIFE ADVISORY GROUP FOR CITY OF CHULA VISTA REPRESENTATIVES

Department: City Clerk

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.

Staff Recommendation: Council adopt the resolution.

6. [16-0525](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE CHAPTERS 2.25, 2.33, AND 2.53 TO REVISE THE QUALIFICATION REQUIREMENTS AND APPOINTMENT PROCESS APPLICABLE TO THE CITY'S CULTURAL ARTS COMMISSION (FIRST READING)

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.

Staff Recommendation: Council place the ordinance on first reading.

7. [16-0443](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING “EXTENSION AND FIRST AMENDMENT OF LEASE” AGREEMENTS FOR TWO TENANT PREMISES AT THE OTAY RANCH TOWN CENTER FOR THE OTAY RANCH BRANCH LIBRARY AND THE COMMUNITY SPACE, “THE HUB”

Department: Library Department

Environmental Notice: The Project qualifies for a Class 1 Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act State Guidelines.

Staff Recommendation: Council adopt the resolution.

8. [16-0390](#) A. RESOLUTION 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, AMENDING THE AUTHORIZED POSITION COUNT IN VARIOUS DEPARTMENTS WITH NO NET CHANGE IN AUTHORIZED STAFFING, AND AMENDING THE POLICE DEPARTMENT FISCAL YEAR 2016-2017 PERSONNEL SERVICES BUDGET

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2016-2017 COMPENSATION SCHEDULE EFFECTIVE NOVEMBER 25, 2016, AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5

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.

Staff Recommendation: Council adopt the resolutions.

9. [16-0529](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AMENDED AND RESTATED LICENSE, LEASE AND OPERATIONS AGREEMENT BETWEEN THE CITY AND EASTON SPORTS DEVELOPMENT FOUNDATION
- Department:* 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.
- Staff Recommendation:* Council adopt the resolution.
10. [16-0473](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2016/2017 CIP PROGRAM BUDGET AND ESTABLISHING A NEW CIP PROJECT DR208, "PRELIMINARY ENGINEERING AND ENVIRONMENTAL STUDIES FOR TELEGRAPH CANYON CHANNEL PROJECT" AND APPROPRIATING \$800,000 FROM THE AVAILABLE BALANCE OF THE TELEGRAPH CANYON DRAINAGE FEE FUND TO CIP NO. DR208 (4/5 VOTE REQUIRED)
- Department:* Public Works 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.
- Staff Recommendation:* Council adopt the resolution.
11. [16-0501](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING SUBMITTAL OF AN APPLICATION FOR A CALRECYCLE RUBBERIZED PAVEMENT GRANT OF \$350,000 FOR FISCAL YEAR 2016-17 AND AUTHORIZING AND EMPOWERING THE DIRECTOR OF PUBLIC WORKS OR HIS DESIGNEE TO EXECUTE ALL GRANT DOCUMENTS NECESSARY TO SECURE GRANT FUNDS AND IMPLEMENT THE APPROVED GRANT PROJECT FOR A PERIOD OF THREE YEARS
- Department:* Public Works Department
- Environmental Notice:* The Project qualifies for a Class 1 Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act State Guidelines.
- Staff Recommendation:* Council adopt the resolution.

12. [16-0505](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING THE CONTRACT FOR “BRUSH CLEARANCE IN RICE CANYON” (CIP # OP225) (PHASE 2) TO HELIX ENVIRONMENTAL PLANNING, INC. IN THE AMOUNT OF \$283,256 IN ACCORDANCE WITH MULTIPLE SPECIES CONSERVATION SUBAREA PLAN (MSCP) OF 2003 AND AREA SPECIFIC MANAGEMENT DIRECTIVES (ASMDs), AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE CONTRACT

Department: Public Works Department

Environmental Notice: The Project qualifies for a Class 4 Categorical Exemption pursuant to Section 15304 (Minor Alterations to Land) of the California Environmental Quality Act State Guidelines. Notwithstanding the foregoing, the project was adequately covered in previously adopted Addendum to the Final EIR/EIS for Issuance of Take Authorizations for Threatened and Endangered Species, and the Final Supplemental Environmental Impact Report and Environmental Assessment prepared for the Chula Vista Multiple Species Conservation Program Subarea Plan, EA 03-01. Thus, no further environmental review or documentation is necessary.

Staff Recommendation: Council adopt the resolution.

13. [16-0532](#) A. QUARTERLY FINANCIAL REPORT FOR THE QUARTER ENDED SEPTEMBER 30, 2016

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING VARIOUS AMENDMENTS TO THE FISCAL YEAR 2016/17 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.

Staff Recommendation: Council accept the report and adopt the resolution.

14. [16-0534](#) INVESTMENT REPORT FOR THE QUARTER ENDED SEPTEMBER 30, 2016

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.

Staff Recommendation: Council accept the report.

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.

15. [16-0489](#) CONSIDERATION OF A REQUEST TO WAIVE UNCOLLECTED CONDITIONAL USE PERMIT APPEAL PROCESSING FEES BY RANCHO VISTA CHURCH

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE WAIVER OF UNCOLLECTED CONDITIONAL USE PERMIT APPEAL PROCESSING FEES FOR THE RANCHO VISTA COVENANT CHURCH PROJECT AT 2088 OTAY LAKES ROAD, SUITES 101 AND 201 (PCC-15-014) AND MAKING THE REQUIRED FINDINGS THEREFOR

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.

Staff Recommendation: Council conduct the public hearing and adopt the resolution.

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.

- 16. [15-0503](#)** CONSIDERATION OF APPROVING THE AMENDED AND RESTATED CHULA VISTA BAYFRONT MASTER PLAN FINANCING AGREEMENT BETWEEN THE CITY AND THE SAN DIEGO UNIFIED PORT DISTRICT

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDED AND RESTATED CHULA VISTA BAYFRONT MASTER PLAN FINANCING AGREEMENT BETWEEN THE CITY AND THE SAN DIEGO UNIFIED PORT DISTRICT

Department: Development Services Department

Environmental Notice: The Project was adequately covered in previously adopted Environmental Impact Report UPD#83356-EIR-65B/ SCH#20005081077.

Staff Recommendation: Council adopt the resolution.

CITY MANAGER'S REPORTS**MAYOR'S REPORTS****COUNCILMEMBERS' COMMENTS****ADJOURNMENT**

to the Regular City Council Meeting on December 6, 2016, 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*

The City of Chula Vista requests individuals who require special accommodations to access, attend, and/or participate in a City meeting, activity, or service, contact the City Clerk's Office at (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.

Most Chula Vista City Council meetings, including public comments, are video recorded and aired live on AT&T U-verse channel 99 (throughout the County), on Cox Cable channel 24 (only in Chula Vista), and online at www.chulavistaca.gov. Recorded meetings are also aired on Wednesdays at 7 p.m. (both channels) and are archived on the City's website.

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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 November 15, 2016, will approve the following final map:

Chula Vista Tract No. 09-03 Otay Ranch Millenia (Eastern Urban Center), for the property bordered by Orion Avenue to the west, Eastlake Parkway to the east, and Strata Street to the north. 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 Tom Adler at (619) 409-5483.