



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, July 24, 2018

5:00 PM

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

REGULAR MEETING OF THE CITY COUNCIL

REVISED 7/20/2018

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. 18-0273 EMPLOYEE SERVICE RECOGNITION HONORING STAFF WITH MILESTONE SERVICE ANNIVERSARIES
B. 18-0331 SPECIAL RECOGNITION OF CONNOR SZCZECHOWICZ UPON WINNING THE 2018 U.S. KIDS GOLF CALIFORNIA STATE INVITATIONAL
C. 18-0337 RECOGNITION OF THE PUBLIC WORKS DEPARTMENT'S PARTICIPATION IN THE MAINTENANCE SUPERINTENDENT'S ASSOCIATION (MSA) 2018 EQUIPMENT RODEO AND WINNING THE FIRST PLACE TROPHY

CONSENT CALENDAR (Items 1 - 5)

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. [18-0332](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE CHAPTER 19.58 (USES) TO ADD SECTION 19.58.440 (MOBILE FOOD FACILITIES), AMENDING CHAPTER 8.20 (FOOD VENDORS), AMENDING CHAPTER 5.62 (VENDING VEHICLES), AMENDING CHAPTER 10.52 (STOPPING, STANDING, AND PARKING), AND AMENDING CHAPTER 5.07 (MASTER TAX SCHEDULE) (SECOND READING AND ADOPTION)

Department: Development Services Department

Environmental Notice: The Project is a legislative activity that qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act State Guidelines Section 15061(b)(3).

Recommended Action: Council adopt the ordinance.

2. [18-0333](#) ORDINANCE OF THE CITY OF CHULA VISTA APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND NORTH C.V. WATERFRONT L.P. FOR THE DEVELOPMENT OF APPROXIMATELY 33 ACRES OF LAND LOCATED IN THE HARBOR DISTRICT OF THE CHULA VISTA BAYFRONT MASTER PLAN AREA (SECOND READING AND ADOPTION)

Department: Development Services Department

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 was covered in previously certified Environmental Impact Report UPD#83356-EIR-658/SCH#2005081077. Thus, no additional environmental review is required.

Recommended Action: Council adopt the ordinance.

3. [18-0302](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$103,078 FROM THE STATE OF CALIFORNIA DEPARTMENT OF JUSTICE AND APPROPRIATING SAID FUNDS TO THE POLICE GRANTS SECTION OF THE FEDERAL GRANTS FUND FOR THE TOBACCO LAW ENFORCEMENT GRANT (4/5 VOTE REQUIRED)

Department: Police 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 it will 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. Thus, no environmental review is required.

Recommended Action: Council adopt the resolution.

4. [18-0304](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING SPECIAL TAXES TO BE COLLECTED TO PAY THE COSTS OF FACILITIES AND SERVICES FOR COMMUNITY FACILITIES DISTRICTS 97-1, 97-2, 97-3, 98-1, 98-2, 98-3, 99-1, 99-2, 2000-1, 2001-1, 2001-2, 07-I, 08-I, 08-M, 09-M, 11-M, 12-I, 12-M, 13-I, 13-M, 14-M, 16-I, 17-I, 18-M AND 19-M WITHIN THE CITY OF CHULA VISTA AND DESIGNATING THE DIRECTOR OF FINANCE/TREASURER TO FILE A LIST OF TAXES TO BE LEVIED ON EACH PARCEL WITH THE COUNTY AUDITOR EACH YEAR

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING SPECIAL TAXES TO BE COLLECTED TO PAY THE COSTS OF FACILITIES AND SERVICES FOR COMMUNITY FACILITIES DISTRICTS 06-I AND 07-M, WITHIN THE CITY OF CHULA VISTA AND DESIGNATING THE DIRECTOR OF FINANCE/TREASURER TO FILE A LIST OF TAXES TO BE LEVIED ON EACH PARCEL WITH THE COUNTY AUDITOR EACH YEAR

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 resolutions.

5. [18-0334](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TAX AND ADMINISTRATION FOR IMPLEMENTATION OF A LOCAL TRANSACTIONS AND USE TAX

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE EXAMINATION OF TRANSACTIONS (SALES) AND USE TAX RECORDS

Department: City Attorney

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.

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.

6. [18-0236](#)
- A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2018/2019 FOR OPEN SPACE DISTRICTS 2 THROUGH 7, 11, 14, 15, 17, 18, 20 (ZONES 1 THROUGH 6, 8, AND 9), 23, 24, 26, 31, 33, EASTLAKE MAINTENANCE DISTRICT NO 1 (ZONES A, B, D, AND E), AND BAY BOULEVARD MAINTENANCE DISTRICT
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2018/2019 FOR OPEN SPACE DISTRICTS 9, 10 AND TOWN CENTRE MAINTENANCE DISTRICT
- C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2018/2019 FOR OPEN SPACE DISTRICT 8
- D. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2018/2019 FOR OPEN SPACE DISTRICT 20 (ZONE 7)
- E. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2018/2019 FOR OPEN SPACE DISTRICT 1
- F. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2018/2019 FOR EASTLAKE MAINTENANCE DISTRICT 1 (ZONE C)

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 conduct the public hearing and adopt the resolutions.

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.

7. [18-0235](#) A. ORDINANCE OF THE CITY OF CHULA VISTA ADDING CHAPTER 5.21, "CANNABIS BUSINESS TAX," TO TITLE 5 OF THE CHULA VISTA MUNICIPAL CODE TO ESTABLISH A TAX ON CANNABIS BUSINESS ACTIVITY (FIRST READING)

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA: (A) AMENDING RESOLUTION NO. 2018-128 CALLING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 6, 2018; (B) ORDERING SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY A MEASURE SEEKING APPROVAL OF A GENERAL BUSINESS LICENSE TAX ON CANNABIS BUSINESS ACTIVITY IN THE CITY; (C) AUTHORIZING THE MAYOR TO SUBMIT BALLOT ARGUMENTS IN FAVOR OF THE MEASURE; AND (D) DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURE

Department: City Manager

Environmental Notice: The activity qualifies for an exemption pursuant to the California Environmental Quality Act State Guidelines Section 15183 (Projects Consistent with a Community Plan or Zoning); Section 15301 (Existing Facilities); Section 15303 (New Construction or Conversion of Small Structures); and Section 15061(b)(3).

Recommended Action: Council place the ordinance on first reading and adopt the resolution.

8. [18-0262](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING VARIOUS CHAPTERS OF TITLE 2 OF THE CHULA VISTA MUNICIPAL CODE, RELATED TO REGULATIONS AND PROCESSES APPLICABLE TO THE CITY'S BOARDS AND COMMISSIONS (FIRST READING)

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.

Recommended Action: Council place the ordinance on first reading.

CITY MANAGER'S REPORTS

MAYOR'S REPORTS

9. [18-0340](#) RATIFICATION OF APPOINTMENTS OF THE FOLLOWING:

Roselle Ellison, Board of Library Trustees
Ken Muraoka, International Friendship Commission
Venus Molina, International Friendship Commission
Marnyce S. McKell, International Friendship Commission
Tuere Faaola, Safety Commission
John Richeson, Sustainability Commission
Maria E. Balolong, Veterans Advisory Commission
Patricia Larkin, Veterans Advisory Commission
Jan Buddingh, Charter Review Commission
Rachel McDonald, Charter Review Commission
Paul Crawford, Commission on Aging

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).

10. [18-0286](#) CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6

Agency designated representatives: Gary Halbert, Glen Googins, Kelley Bacon, David Bilby, Courtney Chase, Ed Prendell and Simon Silva.

Employee organization(s): Mid-Managers/Professional Association/Service Employees International Union, Local 221 (MM/PROF/SEIU)

This item was continued from 7/17/2018.

11. [18-0301](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: 318 4th Ave, Chula Vista, CA
Agency Negotiators: Rick Ryals and Eric Crockett
Negotiating Parties: City of Chula Vista and Heritage Group
Under Negotiation: Price and Terms for Acquisition

This item was continued from 7/17/2018.

ADJOURNMENT

to the Regular City Council Meeting on August 7, 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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