



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, June 19, 2018

5:00 PM

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

REGULAR MEETING OF THE CITY COUNCIL

REVISED 6/15/2018

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. [18-0225](#) PRESENTATION OF QUARTERLY EMPLOYEE RECOGNITION RECIPIENTS
- B. [18-0258](#) PRESENTATION BY CULTURAL ARTS MANAGER LYNNETTE TESSITORE OF THE 2018 MCCANDLISS ARTS AWARDS RECIPIENTS AND THE 2018 RISING STAR SCHOLARSHIP WINNERS: JARED LUZANO, VANESSA ORDONEZ, DAHLIA SUITER, SHAE-LIN CARR, AND RAQUEL ACHERMAN

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. [18-0251](#) APPROVAL OF MINUTES of March 20 and 27, 2018

Staff Recommendation: Council approve the minutes.

2. [18-0263](#) WRITTEN COMMUNICATIONS

Letter from Councilmember Aguilar requesting an excused absence from the May 15, 2018 council meeting.

Staff Recommendation: Council excuse the absence.

3. [18-0265](#) ORDINANCE OF THE CITY OF CHULA VISTA ADDING MUNICIPAL CODE SECTION 2.50.150 REGARDING SIGNERS OF WRITTEN ARGUMENTS FOR OR AGAINST BALLOT MEASURES (SECOND READING AND ADOPTION)

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 ordinance.

4. [18-0266](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.05.010 RELATING TO THE ESTABLISHMENT OF UNCLASSIFIED POSITIONS TO ADD PUBLIC WORKS SUPERINTENDENT (SECOND READING AND ADOPTION) (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 adopt the ordinance.

5. [18-0112](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AWARDING THE AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND WILMINGTON TRUST CORPORATION FOR BOND TRUSTEE SERVICES FOR ALL DEBT ISSUES AND BOND ISSUANCES, AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE SAID AGREEMENT

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 adopt the resolution.

6. [18-0181](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ESTABLISHING THE GANN INITIATIVE APPROPRIATIONS LIMIT FOR THE CITY OF CHULA VISTA FOR FISCAL YEAR 2018-19

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 adopt the resolution.

7. [18-0228](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE PERFORMING AND VISUAL ARTS GRANT REVIEW PANEL'S GRANT AWARD RECOMMENDATIONS FOR FISCAL YEAR 2018-19 WITH A TOTAL MONETARY GRANT AWARD FOR THIS FISCAL YEAR TOTALING \$78,730

Department: Community Services

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 15060(c)(3) no environmental review is required.

Staff Recommendation: Council adopt the resolution.

8. [18-0222](#)

A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2018-19 FOR OPEN SPACE DISTRICTS 1 THROUGH 11, 14, 15, 17, 18, 20 (ZONES 1 THROUGH 9), 23, 24, 26, 31, 33, EASTLAKE MAINTENANCE DISTRICT (ZONES A THROUGH E), BAY BOULEVARD MAINTENANCE DISTRICT, AND TOWN CENTRE MAINTENANCE DISTRICT PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER'S REPORT; DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE FISCAL YEAR 2018-19 ASSESSMENTS 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

C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER'S REPORT; DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE FISCAL YEAR 2018-19 ASSESSMENTS FOR OPEN SPACE DISTRICTS 9, 10 AND TOWN CENTRE MAINTENANCE DISTRICT

D. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER'S REPORT; DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE FISCAL YEAR 2018-19 ASSESSMENTS FOR OPEN SPACE DISTRICT 8

E. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER'S REPORT; DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE FISCAL YEAR 2018-19 ASSESSMENTS FOR OPEN SPACE DISTRICT 20 (ZONE 7)

F. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER'S REPORT; DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE FISCAL YEAR 2018-19 ASSESSMENTS FOR OPEN SPACE DISTRICT 1

G. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER'S REPORT; DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE FISCAL YEAR 2018-19 ASSESSMENTS FOR EASTLAKE MAINTENANCE DISTRICT NO. 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.

Staff Recommendation: Council adopt the resolutions and set the public hearing for July 24, 2018.

9. [18-0250](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING A POST-EMPLOYMENT HEALTH PLAN FOR ELIGIBLE PUBLIC EMPLOYEES

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 resolution.

10. [18-0136](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A PARK MASTER PLAN FOR THE 2.0-ACRE PUBLIC PARK, LOCATED IN THE TOWN CENTER AT OTAY RANCH (FREEWAY COMMERCIAL NORTH, PORTION OF OTAY RANCH PLANNING AREA 12), AND APPROVING THE PARK NAME, "CENTERPARK"

Department: Development Services Department

Environmental Notice: The Project was adequately covered in previously adopted/certified Final Environmental Impact Report, FEIR 02-04 for the Otay Ranch Freeway Commercial Sectional Planning Area (SPA) Plan and any and all addenda and amendments.

Staff Recommendation: Council adopt the resolution.

11. [18-0174](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE BIDDING REQUIREMENTS AND APPROVING AN EXTENSION TO THE LANDSCAPE MAINTENANCE CONTRACT BETWEEN THE CITY AND AZTEC LANDSCAPING, INC. FOR EASTLAKE MAINTENANCE DISTRICT ZONES A, B, AND D AND OPEN SPACE DISTRICT 31 IN THE AMOUNT OF \$216,704; OPEN SPACE DISTRICTS 2, 18, AND 23 IN THE AMOUNT OF \$87,072; OLYMPIC PARKWAY (I-805 TO SR125), EASTLAKE LANDSWAP, OLYMPIC PARKWAY (SR125 TO HUNTE PARKWAY), AND OTAY RANCH VILLAGE 2 SANTA VENETIA (CFD 13M) IN THE AMOUNT OF \$255,197; APPROVING A CHANGE ORDER FOR REINSTATING SERVICES IN OPEN SPACE DISTRICT 7 AND ADDING SERVICES IN DIRECT ACCESS RAMP WEST IN AN AMOUNT NOT TO EXCEED \$18,000

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE BIDDING REQUIREMENTS AND APPROVING AN EXTENSION TO THE LANDSCAPE MAINTENANCE CONTRACT BETWEEN THE CITY AND TERRACARE ASSOCIATES, LLC FOR OPEN SPACE DISTRICT 20 ZONES 2, 3, 4, 5 AND 6 IN THE AMOUNT OF \$568,111; OPEN SPACE DISTRICTS 14, 15, AND 24 IN THE AMOUNT OF \$185,309; AND MCMILLIN OTAY RANCH VILLAGE 6 - CFD 08M AREA 1, AND OTAY RANCH VILLAGE 6 - CFD 08M AREA 2 IN THE AMOUNT OF \$385,901

C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE BIDDING REQUIREMENTS AND APPROVING AN EXTENSION TO THE LANDSCAPE MAINTENANCE CONTRACT BETWEEN THE CITY AND BRIGHTVIEW LANDSCAPE SERVICES FOR OPEN SPACE DISTRICTS 1, 17, AND 20 (ZONE 7) IN THE AMOUNT OF \$166,643; TELEGRAPH CANYON ROAD I-805 TO LA FITNESS AND OTAY RANCH VILLAGE 1 WEST SOUTH SLOPES (CFD 99-2) IN THE AMOUNT OF \$159,487

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).

Staff Recommendation: 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.

12. [18-0104](#)
- A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECT CHV 48 FOR FISCAL YEARS 2018-19 THROUGH 2022-23 FOR INCLUSION IN THE REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM AND PROVIDING THE CERTIFICATION AND INDEMNITY STATEMENTS NECESSARY TO OBTAIN TRANSNET FUNDS
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECT CHV 80 FOR FISCAL YEARS 2018-19 THROUGH 2022-23 FOR INCLUSION IN THE REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM AND PROVIDING THE CERTIFICATION AND INDEMNITY STATEMENTS NECESSARY TO OBTAIN TRANSNET FUNDS
- C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS EXCEPT FOR PROJECTS CHV 48 AND CHV 80 FOR FISCAL YEARS 2018-19 THROUGH 2022-23 FOR INCLUSION IN THE REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM AND PROVIDING THE CERTIFICATION AND INDEMNITY STATEMENTS NECESSARY TO OBTAIN TRANSNET FUNDS, APPROVING ADMINISTRATIVE TRANSFERS AS REQUIRED BY SANDAG, REDUCING CTY0228 BY \$36,921 IN TRANSNET FUNDS AND APPROPRIATING THE EQUIVALENT AMOUNT IN TRANSNET FUNDS TO STL0423 (4/5 VOTE REQUIRED)

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.

Staff Recommendation: 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.

13. [18-0149](#) UPDATE ON THE SMART CITIES STRATEGIC ACTION PLAN

A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING A CONTRACT FOR SERVICE TO MAGELLAN ADVISORS

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE OPEN DATA POLICY

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 adopt the resolutions.

CITY MANAGER'S REPORTS

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 Wednesday following the Council Meeting at the City Attorney's office in accordance with the Ralph M. Brown Act (Government Code 54957.7).

**14. [18-0249](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED
LITIGATION**

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2):

One [1] Case. Just Construction, Inc.

(This item was continued from 6/12/2018.)

ADJOURNMENT

to the Regular City Council Meeting on July 10, 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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