



**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, August 7, 2018**

**5:00 PM**

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

**REGULAR MEETING OF THE CITY COUNCIL**

**REVISED 8/3/2018**

**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. [18-0360](#) OATHS OF OFFICE  
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
- B. [18-0363](#) PRESENTATION OF A PROCLAMATION RECOGNIZING  
SEPTEMBER 8, 2018 AS LGBTQ DAY IN THE CITY 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 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. [18-0358](#) 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 (SECOND  
READING AND ADOPTION)

**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 adopt the ordinance.

2. [18-0359](#) 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 (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.
- Recommended Action:* Council adopt the ordinance.
3. [18-0239](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ENTERING INTO AN AGREEMENT WITH THE SEVEN MILE CASINO TO ALLOW USE OF THE PARKING LOT AT BAY BOULEVARD PARK IN EXCHANGE FOR PARK MAINTENANCE SERVICES
- Department:* Community Services
- 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.
- Recommended Action:* Council adopt the resolution.
4. [18-0261](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DELEGATING AUTHORITY TO EXERCISE DISCRETIONARY APPROVAL OF DESIGNS FOR PUBLIC WORKS AND PUBLIC IMPROVEMENT PROJECTS TO THE CITY ENGINEER OR DESIGNEE
- 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. Notwithstanding the foregoing, the activity 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. [18-0343](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.57 (DESIGN-BUILD CONTRACTS) TO AMEND THE AUTHORIZED PROCUREMENT AND SELECTION METHODS FOR DESIGN-BUILD PROJECTS (FIRST READING)

*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. Notwithstanding the foregoing, the activity qualifies for an Exemption pursuant to Section 15061(b)(3) of the California Environmental Quality Act State Guidelines.

*Recommended Action:* Council place ordinance on first reading.

6. [18-0336](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A DEVELOPMENT IMPACT FEE CREDIT ACCOUNTING AGREEMENT WITH BALDWIN & SONS, LLC. RELATING TO THE CONSTRUCTION OF A PORTION OF HERITAGE ROAD

*Department:* Development Services Department

*Environmental Notice:* The Project was adequately covered in previously certified Final Second Tier Environmental Impact Report, EIR 02-02 and Final Supplemental Environmental Impact Report, SEIR 12-01 for the Otay Ranch Village Two Sectional Planning Area (SPA) Plan.

*Recommended Action:* Council adopt the resolution.

7. [18-0324](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$5,820 FROM THE AARP COMMUNITY CHALLENGE GRANT TO IMPLEMENT TRANSPORTATION GOALS IN THE AGE-FRIENDLY ACTION PLAN, AND AMENDING THE FISCAL YEAR 2018/2019 DEVELOPMENT SERVICES BUDGET TO REFLECT THE APPROPRIATION OF THESE FUNDS (4/5 VOTE REQUIRED)

*Department:* Housing Division

*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.

## 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.*

8. [15-0546](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CHAPTER 16 (DEVELOPMENT AND IN-LIEU FEES) OF THE CITY'S MASTER FEE SCHEDULE RELATING TO CITYWIDE IN-LIEU FEES FOR PARKLAND DEVELOPMENT

*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 conduct the public hearing and adopt the resolution.

9. [18-0341](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ASSESSING CERTAIN DELINQUENT SOLID WASTE SERVICE CHARGES AS RECORDED LIENS UPON THE RESPECTIVE PARCELS OF LAND AND APPROVING THE PLACEMENT OF DELINQUENT CHARGES ON THE NEXT REGULAR TAX BILL FOR COLLECTION

*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 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.*

10. [15-0431](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE 2018 PARKS AND RECREATION MASTER PLAN UPDATE

*Department:* Development Services Department

*Environmental Notice:* The Project qualifies for a Statutory Exemption pursuant to Section 15262 (Feasibility and Planning Studies) pursuant to the California Environmental Quality Act State Guidelines.

*Recommended Action:* Council adopt the resolution.

11. [18-0303](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE COMPENSATION SCHEDULE AND CLASSIFICATION PLAN TO REFLECT (1) THE ADDITION AND DELETION OF VARIOUS POSITION TITLES AND (2) THE SALARY ADJUSTMENTS FOR POLICY AIDE AND DIRECTOR OF PUBLIC WORKS AND AMENDING THE AUTHORIZED POSITION COUNT WITH NO NET CHANGE IN AUTHORIZED STAFFING

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE COMPENSATION SUMMARY FOR UNREPRESENTED EMPLOYEES

C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2018-2019 COMPENSATION SCHEDULE EFFECTIVE AUGUST 17, 2018, AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5

D. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.05.010 TO DELETE THE UNCLASSIFIED POSITION OF CONSTITUENT SERVICES REPRESENTATIVE (FIRST READING) (4/5 VOTE REQUIRED)

*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.

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

12. [18-0335](#) ORDINANCE OF THE CITY OF CHULA VISTA ADDING CHULA VISTA MUNICIPAL CODE CHAPTER 2.63 - "MEASURE A" CITIZENS' OVERSIGHT COMMITTEE (FIRST READING)

*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.

*Recommended Action:* Council place the ordinance on first reading.

13. [18-0355](#) SELECTION OF A DATE AND TIME FOR AN OPEN MEETING TO CONDUCT INTERVIEWS OF ALL APPLICANTS WHO SUBMITTED A QUALIFIED APPLICATION DURING THE SPECIFIED APPLICATION PERIOD TO FILL ONE VACANCY ON THE PARKS AND RECREATION COMMISSION

*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 select a date and time for an open meeting to conduct interviews of all applicants for the Parks and Recreation Commission who submitted a qualified application during the specified application period.

## CITY MANAGER'S REPORTS

## MAYOR'S REPORTS

14. [18-0368](#) REPORT ON STATUS OF LEGAL CHALLENGE BY THE AIRPORT AUTHORITY AND OTHERS TO THE PORT DISTRICT'S CAR RENTAL FEE TO FUND THE BAYFRONT PROJECT PARKING GARAGE AND POSSIBLE CITY COUNCIL ACTION REGARDING SAME

## 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).*

15. [18-0292](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION  
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4):  
[2] Cases.

**ADJOURNMENT**

*to the Regular City Council Meeting on August 14, 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*

*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](http://www.chulavistaca.gov). Recorded meetings are also aired on Wednesdays at 7 p.m. (both channels) and are archived on the City's website.*

*Sign up at [www.chulavistaca.gov](http://www.chulavistaca.gov) to receive email notifications when City Council agendas are published online.*



**NOTICE OF REVIEW AND PENDING APPROVAL OF FINAL MAP(S)**

*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 August 7, 2018, will approve the following final map(s):*

*"Chula Vista Tract No. 15-0007 Otay Ranch Planning Area 12", OR261F, for the property located at the southwest corner of Olympic Parkway and Eastlake Parkway; and*

*"Chula Vista Tract No. 12-05, Otay Ranch Village 2 South, Neighborhood R-17B(a)", OR863F, for the property located south of Santa Victoria Road.*

*Copies of which are available for public viewing at the Office of the Chula Vista City Clerk. Specifically, the City Engineer has caused the map(s) to be examined and has made the following findings:*

*(1) The maps substantially conform to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.*

*(2) The maps comply with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.*

*(3) The maps are technically correct.*

*Said maps 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 maps or your appeal rights, please feel free to contact Boushra Salem, Principal Civil Engineer, at (619) 409-5483.*