



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
Mike Diaz, Councilmember - District 4

Gary Halbert, City Manager
Glen R. Googins, City Attorney
Kerry K. Bigelow, City Clerk

Tuesday, January 15, 2019

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 Diaz, Galvez, McCann, Padilla and Mayor Casillas Salas

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

SPECIAL ORDERS OF THE DAY

- A. 19-0010 OATH OF OFFICE
Lynnette Tessitore, Measure A Citizens' Oversight Committee
B. 18-0581 STARLIGHT PARADE VIDEO AND PRESENTATION OF AWARDS
C. 19-0007 PRESENTATION BY VULCAN MATERIALS COMPANY PLANT MANAGER DARIN GRAY, MANAGER OF COMMUNITY AND GOVERNMENT RELATIONS BARBARA GOODRICH-WELK, AND COMMUNITY AND GOVERNMENT RELATIONS COORDINATOR ABBEY SANDERSON OF A CHECK TO THE CHULA VISTA FIREFIGHTER'S FOUNDATION

CONSENT CALENDAR (Items 1 - 4)

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. [19-0014](#) APPROVAL OF MINUTES of July 24, 2018.

Recommended Action: Council approve the minutes.

2. [18-0591](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS RELATED TO THE PARTICIPATION OF THE HUD PUBLIC OFFERING AS PART OF THE SECTION 108 LOAN GUARANTEE ASSISTANCE PROGRAM TO REFINANCE THE EXISTING NOTE B-08-MC-06-0547 OR OTHER OBLIGATION IN THE ORIGINAL PRINCIPAL AMOUNT OF \$5,886,000, FOR THE 2008 CASTLEPARK INFRASTRUCTURE PROJECT (4/5 VOTE REQUIRED)

Department: Development Services Department

Environmental Notice: The Development Services Director has reviewed the proposed activities for compliance with the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA). The proposed activities are not considered "Projects" as defined under Section 15378(b)(5) of the State CEQA Guidelines because the proposals consist of a reporting action, is an administrative function, and is not site specific project(s) and will not result in a direct or indirect physical change in the environment. Therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, these activities are not subject to CEQA. Under NEPA, the activity qualifies for a Certification of Exemption pursuant to Title 24, Part 58.34(a)(2)&(3) of the Code of Federal Regulations and pursuant to the U.S. Department of Housing & Urban Development Environmental Guidelines. Thus, no further environmental review is necessary.

Recommended Action: Council adopt the resolution.

3. [18-0596](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA SETTING THE CANNABIS BUSINESS TAX AT 7% OF GROSS RECEIPTS

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA SETTING THE CANNABIS CULTIVATION TAX AT \$25 PER SQUARE FOOT OF CANOPY

Department: City Attorney & 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 resolutions.

4. [18-0503](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A JOINT USE AND MAINTENANCE AGREEMENT BY AND BETWEEN THE CITY OF CHULA VISTA, THE METROPOLITAN TRANSIT SYSTEM, AND THE SAN DIEGO ASSOCIATION OF GOVERNMENTS ASSIGNING RESPONSIBILITY FOR THE MAINTENANCE OF IMPROVEMENTS ASSOCIATED WITH THE SOUTH BAY BUS RAPID TRANSIT LINE

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE SAN DIEGO ASSOCIATION OF GOVERNMENTS, THE CITY OF CHULA VISTA, AND THE METROPOLITAN TRANSIT SYSTEM REGARDING RAPID TRAFFIC SYSTEMS OPERATIONS AND MAINTENANCE ASSOCIATED WITH THE SOUTH BAY BUS RAPID TRANSIT LINE

C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MAINTENANCE AGREEMENT BY AND BETWEEN THE CITY OF CHULA VISTA AND THE METROPOLITAN TRANSIT SYSTEM FOR THE MAINTENANCE OF THE EAST PALOMAR STREET TRANSIT STATION STREET IMPROVEMENTS

D. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2018/2019 OPERATING BUDGET FOR THE DEPARTMENT OF ENGINEERING AND CAPITAL PROJECTS' SUPPLIES AND SERVICES (\$163,000) AND UTILITIES (\$17,000) EXPENSE CATEGORIES BASED ON UNANTICIPATED REVENUE (\$180,000) ASSOCIATED WITH THE JOINT USE AND MAINTENANCE AGREEMENT AND RAPID TRAFFIC SYSTEMS MEMORANDUM OF UNDERSTANDING (4/5 VOTE REQUIRED)

(This item was continued from the 1/8/2019 meeting.)

Department: Engineering Department

Environmental Notice: This 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.

5. [18-0564](#) PRESENTATION AND CONSIDERATION OF ACCEPTANCE OF THE 2017/2018 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER); AND SOLICITATION OF INPUT ON FUNDING PRIORITIES FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME), AND EMERGENCY SOLUTIONS GRANT (ESG) 2019/2020 PROGRAM

Department: Development Services Department

Environmental Notice: The Development Services Director has reviewed the proposed activities for compliance with the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA). The proposed activities are not considered "Projects" as defined under Section 15378(b)(5) of the State CEQA Guidelines because the proposals consist of a reporting action, is an administrative function, and is not site specific project(s) and will not result in a direct or indirect physical change in the environment. Therefore, pursuant to Section 15060 (c)(3) of the State CEQA Guidelines, these activities are not subject to CEQA. Under NEPA, the activity qualifies for a Certification of Exemption pursuant to Title 24, Part 58.34(a)(2)&(3) of the Code of Federal Regulations and pursuant to the U.S. Department of Housing & Urban Development Environmental Guidelines. Thus, no further environmental review is necessary.

Recommended Action: Council conduct the public hearing and receive the report.

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).

6. [19-0008](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)

Name of case: City of Chula Vista v. William F. Best, San Diego Superior Court, Case No. 37-2018-00024047 -CU-EI-CTL.

7. [19-0009](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: 318 Fourth Avenue, Chula Vista, California;
APNs: 568-181-40, 568-181-39, 568-181-43 and 568-181-37

Agency Negotiator: Rick Ryals

Negotiating Parties: Rick Ryals and First Bank

Under Negotiation: Price and Terms

ADJOURNMENT

to the regular City Council meeting on January 22, 2019, 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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