



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, December 10, 2019

5:00 PM

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

REGULAR MEETING OF THE CITY COUNCIL

REVISED 12/6/2019

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. [19-0553](#) PRESENTATION OF A PROCLAMATION TO ALICIA HERNANDEZ IN RECOGNITION OF HER RETIREMENT AND 28 YEARS OF DEDICATED SERVICE WITH THE CITY OF CHULA VISTA

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. [19-0566](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.28 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA PLUMBING CODE, 2019 EDITION (SECOND READING AND ADOPTION WITH TECHNICAL CORRECTION)

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

Recommended Action: Council adopt the ordinance.

2. [19-0563](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING AN APPLICATION FOR THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT - SENATE BILL 2 PLANNING GRANTS PROGRAM TO DEVELOP AN ALTERNATIVE COMPLIANCE PROGRAM IN THE OTAY RIVER VALLEY WHICH WILL PROVIDE STORMWATER POLLUTANT CONTROL AND/OR HYDROMODIFICATION MANAGEMENT COMPLIANCE OPTIONS CONSISTENT WITH THE 2013 MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT, AND CONTINGENT UPON GRANT AWARD, ACCEPTING THE GRANT FUNDS, ENTERING INTO AN AGREEMENT WITH ICF INTERNATIONAL FOR CONSULTING SERVICES, AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

Department: Development Services Department

Environmental Notice: The Project qualifies for a Class 6 Categorical Exemption pursuant to Section 15306 (Information Collection) of the California Environmental Quality Act State Guidelines.

Recommended Action: Council adopt the resolution.

3. [19-0499](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A CONSULTANT SERVICES AGREEMENT TO PROVIDE PROFESSIONAL SERVICES SUPPORTING CITY OF CHULA VISTA IMPLEMENTATION OF SENATE BILL (SB) 743 BETWEEN THE CITY AND FEHR & PEERS AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

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 adopt the resolution.

4. [19-0516](#) ANNUAL REPORT REGARDING DEVELOPMENT IMPACT FEES, THE PARKLAND ACQUISITION AND DEVELOPMENT FEE, AND TRUNK SEWER CAPITAL RESERVE FUNDS FOR THE FISCAL YEAR ENDING JUNE 30, 2019

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 receive the report.

5. [19-0519](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A PROJECT DEVELOPMENT COOPERATION AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND LAKEVIEW I, LLC, LAKEVIEW II, LLC, AND MOLLER OTAY LAKES INVESTMENT, LLC

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. In addition, notwithstanding the foregoing, the proposed activity also qualifies for an Exemption pursuant to Section 15061(b)(3) of the State CEQA Guidelines because there is no possibility that the activity in question will have a significant effect on the environment.

Recommended Action: Council adopt the resolution.

6. [19-0556](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE 2020 LOCAL APPOINTMENTS LIST FOR BOARD, COMMISSION, AND COMMITTEE TERMS EXPIRING IN CALENDAR YEAR 2020

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 resolution.

7. [19-0557](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE SECOND AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND DAVY ARCHITECTURE, INC. FOR DESIGN AND CONSTRUCTION ADMINISTRATION FOR THE DECK IN FRIENDSHIP PARK

Department: Community Services 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), Section 15303 class 3 (New Construction or Conversion of Small Structures), and Section 15061(b)(3).

Recommended Action: Council adopt the resolution.

8. [19-0558](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE FIRST AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND MID MANAGERS PROFESSIONAL ASSOCIATION COVERING THE PERIOD OF DECEMBER 18, 2018 TO JUNE 30, 2020 REGARDING ADDITION OF A POST-EMPLOYMENT HEALTH PLAN (PEHP)

B. 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.

Recommended Action: Council adopt the resolutions.

9. [19-0559](#)

A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE COMPENSATION SCHEDULE AND CLASSIFICATION PLAN TO REFLECT THE ADDITION AND DELETION OF VARIOUS POSITION TITLES AND AMENDING THE AUTHORIZED POSITION COUNTS IN VARIOUS DEPARTMENTS WITH NO NET INCREASE IN AUTHORIZED STAFFING

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2019-2020 COMPENSATION SCHEDULE EFFECTIVE DECEMBER 20, 2019, AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5

C. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.05.010 TO ADD THE UNCLASSIFIED POSITION OF SMART TECHNOLOGY OFFICER (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.

10. [19-0560](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE CITY OF CHULA VISTA CAFETERIA BENEFITS PLAN FOR 2020

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE RENEWAL OF A PROFESSIONAL SERVICES AGREEMENT WITH MARSH & MCLENNAN AGENCY, LLC. (PREVIOUSLY BARNEY & BARNEY, LLC.) TO PROVIDE BROKER SERVICES FOR CITY EMPLOYEES BENEFITS PROGRAM

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 resolution.

11. [19-0565](#) JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA, ALONG WITH OTHER STATE AND LOCAL STAKEHOLDERS, RECOMMENDING PROJECT ALTERNATIVES AND FEDERAL ACTIONS TO ELIMINATE DETRIMENTAL TRANSBOUNDARY FLOWS OF WASTES IN THE TIJUANA RIVER VALLEY

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 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.

CITY MANAGER'S REPORTS

MAYOR'S REPORTS

12. [19-0573](#) RATIFICATION OF APPOINTMENT OF JAMES SCOFIELD
TO THE CHARTER REVIEW COMMISSION

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).

13. [19-0572](#) CONFERENCE WITH LEGAL COUNSEL REGARDING
EXISTING LITIGATION PURSUANT TO GOVERNMENT
CODE SECTION 54956.9(d)(1)

Case Name: Kenny Heinz v. City of Chula Vista, Worker's
Compensation Appeals Board, Case No. ADJ11110674

ADJOURNMENT

to the regular City Council meeting on January 7, 2020, 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.

Sign up at www.chulavistaca.gov to receive email notifications when City Council agendas are published online.