



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 28, 2020

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. 20-0029 OATHS OF OFFICE

Joycelyn Persichilli, Commission on Aging
Bernardo Andrade, International Friendship Commission

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. [20-0040](#) APPROVAL OF MINUTES of July 23 and August 1, 2019.
Recommended Action: Council approve the minutes.

2. [20-0037](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 5.19.050.D TO ELIMINATE ONE-YEAR WAITING PERIOD APPLICABLE TO CERTAIN NEW CANNABIS BUSINESS LICENSE APPLICANTS (SECOND READING AND ADOPTION)
Department: City Attorney & 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. Notwithstanding the foregoing, it has also been determined that 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 ordinance.

3. [19-0561](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ORDERING THE SUMMARY VACATION OF THE 5.5-FOOT-WIDE EASEMENT FOR TREE PLANTING AND MAINTENANCE PURPOSES ALONG SHOWROOM PLACE
Department: Development Services Department
Environmental Notice: The Project was adequately covered in previously adopted Mitigated Negative Declaration (MND) IS-00-03, Mitigation Monitoring and Reporting Program (MMRP), and MND Findings of Fact for the Eastlake II GDP, Eastlake I SPA Amendments, and Eastlake II Business Center II.
Recommended Action: Council adopt the resolution.

4. [20-0006](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A JOINT APPLICATION WITH CHELSEA INVESTMENT CORPORATION FOR FUNDING FROM THE AFFORDABLE HOUSING AND SUSTAINABLE COMMUNITIES PROGRAM TO FUND AN AFFORDABLE HOUSING PROJECT AND INFRASTRUCTURE IMPROVEMENTS WITHIN AND AROUND MILLENIA
Department: Development Services Department
Environmental Notice: The Project was adequately covered in previously certified Final Second Tier Environmental Impact Report, (EIR-07-01) and subsequent Addendum (IS-13-001). Thus, no further environmental review or documentation is required.

Recommended Action: Council adopt the resolution.

5. [20-0017](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DESIGNATING CERTAIN AUTHORIZED REPRESENTATIVES TO VOTE IN THE BAYFRONT PROJECT SPECIAL TAX FINANCING DISTRICT SPECIAL MAIL BALLOT ELECTION

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.

6. [20-0008](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MASTER LICENSE AGREEMENT WITH VERIZON WIRELESS (VAW) LLC FOR SMALL WIRELESS FACILITIES WITHIN THE CITY'S RIGHT-OF-WAY

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MASTER LICENSE AGREEMENT WITH NEW CINGULAR WIRELESS RCS, LLC (AT&T) FOR SMALL WIRELESS FACILITIES WITHIN THE CITY'S RIGHT-OF-WAY

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. Notwithstanding the foregoing, it has also been determined that 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 resolutions.

7. [20-0033](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AMENDMENT TO THE AGREEMENT WITH HDL COMPANIES FOR SERVICES RELATED TO CANNABIS BUSINESS APPLICATIONS AND APPROPRIATING \$100,000, FROM THE GENERAL FUND, TO BE OFFSET BY APPLICATION FEES (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.

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.

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.

8. [19-0475](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DIRECTING THE CITY MANAGER TO ENGAGE IN ALL NECESSARY ADMINISTRATIVE ACTIONS TO IMPLEMENT FIRE DEPARTMENT-BASED EMERGENCY MEDICAL TRANSPORT SERVICES, TO BEGIN NEGOTIATIONS FOR CONTRACTUAL SERVICES WITH THE CITY OF IMPERIAL BEACH AND THE BONITA SUNNYSIDE FIRE PROTECTION DISTRICT, AND TO BRING BACK FOR CITY COUNCIL CONSIDERATION AND APPROVAL ANY REQUIRED COUNCIL LEVEL IMPLEMENTING ACTIONS

Department: Fire 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.

9. [19-0506](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE PROJECT REPORT FOR THE PALOMAR STREET RAIL-GRADE SEPARATION CIP STM0361 PROJECT, AND TRANSFERRING \$100,000 IN TRANSNET APPROPRIATIONS FROM CIP TRF0397 TO CIP STM0361 (4/5 VOTE REQUIRED)

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MEMORANDUM OF UNDERSTANDING WITH SANDAG FOR THE DESIGN PHASE OF THE PALOMAR STREET RAIL-GRADE SEPARATION PROJECT

C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A REIMBURSEMENT AGREEMENT WITH BODEGA LATINA CORPORATION, DOING BUSINESS AS EL SUPER, FOR PUBLIC SEWER INFRASTRUCTURE THROUGH THE PALOMAR GATEWAY SHOPPING CENTER

Department: Engineering Department

Environmental Notice: The Project qualifies for a Statutory Exemption pursuant to the California Environmental Quality Act State Guidelines Section 21080.13 Railroad Grade Separation Projects and a Categorical Exemption pursuant to State CEQA Guidelines Section 15301 Class 1 (Existing Facilities), Section 15302 Class 2 (Replacement or Reconstruction), Section 15303 class 3 (New Construction or Conversion of Small Structures), and Section 15304 Class 4 (Minor Alterations to Land). Under National Environmental Policy Act (NEPA), The State (California Department of Transportation) has determined that the project is a Categorical Exclusion under: 23 CFR 771.117(c): activity (c)(1).

Recommended Action: 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).

10. [20-0028](#) CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6

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

Employee organizations: IAFF, POA, WCE, ACE, and MM/PR

11. [20-0035](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)

Name of case: Francis Aguinaga v. City of Chula Vista,
San Diego Superior Court,
Case No. 37-2018-00048906-Cu-PO-CTL.

ADJOURNMENT

to the special joint City Council, Planning Commission, Growth Management Oversight Commission meeting on January 30, 2020, at 6:00 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.