



MEETING OF THE CITY COUNCIL

Agenda

Cheryl Cox, Mayor

Rudy Ramirez, Councilmember
Mitch Thompson, Interim Councilmember
Pamela Bensoussan, Councilmember
Steve Castaneda, Councilmember

James D. Sandoval, City Manager
Bart Miesfeld, City Attorney
Donna Norris, City Clerk

March 9, 2010
4:00 p.m.

Council Chambers
City Hall – Building 100
276 Fourth Avenue

CALL TO ORDER

ROLL CALL: Councilmembers Bensoussan, Castaneda, Ramirez, Thompson, and Mayor Cox

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

SPECIAL ORDERS OF THE DAY

- PRESENTATION OF A PROCLAMATION TO JO DEE C. JACOB, CHIEF EXECUTIVE OFFICER OF GIRL SCOUTS, SAN DIEGO-IMPERIAL COUNCIL, DECLARING THE WEEK OF MARCH 7TH THROUGH MARCH 13TH, 2010, AS GIRL SCOUTS WEEK IN THE CITY OF CHULA VISTA

CONSENT CALENDAR

(Items 1-2)

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. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE “CITY OF CHULA VISTA DEVELOPMENT STORM WATER MANUAL, MARCH 2010” AND AUTHORIZING THE CITY ENGINEER TO APPROVE FUTURE UPDATES ON BEHALF OF THE CITY

The National Pollutant Discharge Elimination System (NPDES) Municipal Permit, Order No. R9-2007-0001 required the eighteen cities of San Diego County, the San Diego Unified Port District, the San Diego County Regional Airport Authority, and the County of San Diego to update their regional Model Standard Urban Storm Water Mitigation Plan. This update was completed and subsequently approved by the regional board. To comply with the permit, the Council is now required to approve the Storm Water Manual. (Director of Public Works)

Staff recommendation: Council adopt the resolution.

2. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING AN APPLICATION TO THE STATE OF CALIFORNIA FOR DESIGNATION OF THE EASTERN URBAN CENTER AS A CATALYST PROJECT UNDER THE CALIFORNIA SUSTAINABLE STRATEGIES PILOT PROGRAM, AND ACKNOWLEDGING INTENT TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE STATE SHOULD THE EASTERN URBAN CENTER BE SELECTED

In response to a Request for Proposals (RFP) from the State Department of Housing and Community Development (HCD), staff is applying to HCD for designation of the Eastern Urban Center (EUC) project as a Catalyst Project under the California Sustainable Strategies Pilot Program. Adoption of the resolution authorizes submittal of an application to the State of California. (Deputy City Manager/Development Services Director)

Staff recommendation: 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.

3. CONSIDERATION OF APPROVING A REQUEST TO WAIVE THE PARKLANDS AND PUBLIC FACILITIES FEES AND SEWER CAPACITY FEES FOR 634 SECOND AVENUE

The applicant (Kevin O’Neill) is requesting a waiver of the Parkland and Public Facilities fees, also known as the Park Acquisition and Development (PAD) fee and Sewer Capacity fees, associated with the development of a subdivision of a 23,381 square-foot site into three legal lots. The total amount to be waived would offset the cost of relocating the existing house on the same parcel. (Deputy City Manager/Development Services Director)

Staff recommendation: Council conduct the public hearing and adopt the following resolution:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REQUEST TO WAIVE THE PARKLANDS AND PUBLIC FACILITIES FEES AND SEWER CAPACITY FEES IN THE AMOUNT OF \$26,104 FOR THE PROJECT LOCATED AT 634 SECOND AVENUE

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.

4. CONSIDERATION OF ESTABLISHMENT OF A SITE LICENSE AGREEMENT WITH CLEAR WIRELESS, LLC, FOR THE INSTALLATION AND OPERATION OF WIRELESS TELECOMMUNICATIONS FACILITIES ON CITY-OWNED AND/OR CONTROLLED PROPERTY

Adoption of the resolution establishes a Master License Agreement between the City and Clear Wireless, LLC, (Clearwire) for the installation of up to 25 wireless telephone facilities (WTF) on property owned and/or controlled by the City. (Director of Conservation and Environmental Services)

Staff recommendation: Council adopt the following resolution:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MASTER COMMUNICATIONS SITE LICENSE AGREEMENT WITH CLEAR WIRELESS LLC, (CLEARWIRE) FOR THE INSTALLATION AND OPERATION OF AS MANY AS 25 WIRELESS TELECOMMUNICATIONS FACILITIES OR SUBSTANTIALLY SIMILAR FACILITIES ON CITY-OWNED AND/OR CONTROLLED PROPERTY, SUBJECT TO ALL NECESSARY APPROVALS, FOR A PERIOD OF 10 YEARS WITH AN OPTION TO RENEW FOR AS MANY AS FOUR ADDITIONAL FIVE-YEAR TERMS

5. CONSIDERATION OF AN AMENDMENT TO THE BALLOT QUESTION FOR THE “FAIR AND OPEN COMPETITION IN CONTRACTING ORDINANCE”

On March 2, 2010, the Council directed the City Attorney to review the ballot question previously approved by the adoption of Council Resolution No. 2009-214, to ensure its accuracy and impartiality. Adoption of the resolution approves the ballot question as amended. (City Attorney)

Staff recommendation: Council adopt the following resolution:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING SECTION 3 OF RESOLUTION NO. 2009-214 TO AMEND THE BALLOT QUESTION FOR THE INITIATIVE ENTITLED “FAIR AND OPEN COMPETITION IN CONTRACTING ORDINANCE”

OTHER BUSINESS

6. CITY MANAGER’S REPORTS

7. MAYOR’S REPORTS

- Update from Port Commissioner Stephen Padilla.

8. COUNCILMEMBERS’ COMMENTS

ADJOURNMENT to the State of the City Address on March 16, 2010, 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 100, 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 at least forty-eight hours in advance of the meeting.