

City of Chula Vista

Meeting Minutes - Final

Tuesday, September 18, 2018

5:00 PM

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

REGULAR MEETING OF THE CITY COUNCIL

CALL TO ORDER

A regular meeting of the City Council of the City of Chula Vista was called to order at 5:11 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.

ROLL CALL:

Present: Councilmember Aguilar, Deputy Mayor Diaz, Councilmember McCann, Councilmember Padilla and Mayor Casillas Salas

Also Present: City Manager Halbert, City Attorney Googins, City Clerk Bigelow, and Deputy City Clerk Larrarte

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Councilmember McCann led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

Mayor Casillas Salas announced Item 6 would be continued to a future date.

A. [18-0434](#) OATHS OF OFFICE

Jim Combs, Board of Appeals and Advisors
Nicole Enriquez, Parks and Recreation Commission
Ricardo Gutierrez, Human Relations Commission
Patrick Macfarland, Housing Advisory Commission
Christian Moreno, Board of Library Trustees
Vianney Ruvalcaba, Sustainability Commission

City Clerk Bigelow administered the oath of office to Commissioners Combs, Enriquez, Gutierrez, Macfarland, Moreno, and Ruvalcaba, and Councilmember Padilla presented the certificates of appointment.

B. [18-0347](#) PRESENTATION BY SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) CHAIRPERSON TERRY SINNOTT AND CHIEF DEPUTY EXECUTIVE DIRECTOR KIM KAWADA REGARDING SANDAG'S RECENT ACCOMPLISHMENTS, PLAN OF EXCELLENCE, AND EXECUTIVE DIRECTOR RECRUITMENT

SANDAG Chairperson Terry Sinnott and Chief Deputy Executive Director Kim Kawada gave the presentation.

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- C. [18-0422](#) PRESENTATION BY PORT OF SAN DIEGO COMMISSIONER ANN MOORE ON UPCOMING OUTREACH ACTIVITIES TO SECURE PUBLIC INPUT ON DESIGN OF HARBOR AND SWEETWATER PARKS AT CHULA VISTA BAYFRONT

Port of San Diego Commissioner Ann Moore gave the presentation and answered questions from the Council.

CONSENT CALENDAR (Items 1 - 5)

Item 2 was removed from the Consent Calendar at the request of Councilmember Padilla.

1. [18-0435](#) ORDINANCE NO. 3439 OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE CHAPTER 5.54, REGULATING TAXICABS AND OTHER FOR-HIRE VEHICLES THROUGH ADOPTION OF SAN DIEGO METROPOLITAN TRANSIT SYSTEM CODIFIED ORDINANCE NO. 11 (SECOND READING AND ADOPTION)

Recommended Action: Council adopt the ordinance.

Item 2 was removed from the Consent Calendar.

3. [18-0379](#) A. RESOLUTION NO. 2018-188 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE FORM OF A MASTER ENCROACHMENT AGREEMENT FOR THE INSTALLATION OF NETWORK FACILITIES WITHIN THE PUBLIC RIGHT-OF-WAY

B. RESOLUTION NO. 2018-189 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CHAPTER 11 (ENGINEERING FEES) OF THE CITY'S MASTER FEE SCHEDULE TO ESTABLISH NETWORK FACILITY ENCROACHMENT PERMIT FEES

Recommended Action: Council adopt the resolutions.

4. [18-0344](#) RESOLUTION NO. 2018-190 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ORDERING THE SUMMARY VACATION OF AN IRREVOCABLE OFFER OF DEDICATION OF LOT "6" FOR PUBLIC PARK PURPOSES AND OF LOT "7" FOR SCHOOL PURPOSES PER FINAL MAP NO. 16112, CHULA VISTA TRACT NO. 12-05, OTAY RANCH VILLAGE 2 SOUTH

Recommended Action: Council adopt the resolution.

5. [18-0397](#) RESOLUTION NO. 2018-191 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING COMPETITIVE BIDDING, APPROVING A SOLE-SOURCE PURCHASE AGREEMENT FOR TWO (2) PIERCE ARROW XT TRIPLE COMBINATION PUMPER / FIRE ENGINES BETWEEN THE CITY AND SOUTH COAST FIRE EQUIPMENT, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME

Recommended Action: Council adopt the resolution.

Approval of the Consent Calendar

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Padilla, to approve staff's recommendations on the above Consent Calendar items, headings read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

ITEMS REMOVED FROM THE CONSENT CALENDAR

- 2. [18-0310](#) RESOLUTION NO. 2018-187 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDED AND RESTATED WASTEWATER DISPOSAL AGREEMENT AND DIRECTING THE METRO COMMISSION / METRO JPA REPRESENTATIVE TO SUPPORT THE SAME AT METRO COMMISSION / METRO JPA MEETINGS

City Engineer Valle provided a correction on Attachment 4 to the item.

Councilmember Padilla offered comments regarding the item.

ACTION: A motion was made by Councilmember Padilla, seconded by Councilmember McCann, to adopt Resolution No. 2018-187, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

PUBLIC COMMENTS

Colin Parent, representing Circulate San Diego, gave a presentation on the circulate mobility certification.

Galo Guerrero, Chula Vista resident, expressed concerns regarding potholes and speeding.

Kelly McCormick expressed concern regarding youth use of e-cigarettes and marijuana.

PUBLIC HEARINGS

- 6. [18-0311](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DENYING THE APPEAL BY ROD BISHARAT AND AFFIRMING THE PLANNING COMMISSION'S APPROVAL OF DESIGN REVIEW PERMIT DR15-0037 AND CONDITIONAL USE PERMIT CUP15-0023 TO CONSTRUCT A 2,380 SQUARE-FOOT AUTOMATED CARWASH BUILDING WITH VACUUM STATIONS ON A 0.55 ACRE SITE LOCATED AT 495 TELEGRAPH CANYON ROAD, SUBJECT TO THE CONDITIONS CONTAINED THEREIN

Item 6 was not heard and continued to a future date.

ACTION ITEMS

7. [18-0364](#) PRESENTATION ON THE STATUS OF THE MILLENIA (EASTERN URBAN CENTER) FIRE STATION NO. 10
- A. RESOLUTION NO. 2018-192 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING CONSTRUCTION OF THE MILLENIA (EASTERN URBAN CENTER) FIRE STATION NO. 10
- B. RESOLUTION NO. 2018-193 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A SOLE SOURCE PURCHASE WITH SOUTH COAST FIRE EQUIPMENT AND A 10-YEAR LEASE PURCHASE AGREEMENT WITH JP MORGAN CHASE BANK, N.A. FOR THE ACQUISITION OF ONE (1) PIERCE ARROW XT TRIPLE COMBINATION PUMPER / FIRE ENGINE AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE THE FINAL PURCHASE AND LEASE AGREEMENT

Senior Project Coordinator Kurz gave the presentation.

Staff answered questions from the Council.

Council discussion ensued.

ACTION: A motion was made by Councilmember Padilla, seconded by Councilmember McCann, to adopt Resolution Nos. 2018-192 and 2018-193, headings read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

8. [18-0390](#) CONSIDERATION OF REAPPOINTMENTS TO THE FOLLOWING COMMISSIONS:
- A. REAPPOINTMENT TO FIRST TERM
- Jon Milburn, Planning Commission
- B. REAPPOINTMENTS TO SECOND TERMS
- Maria Garcia-Lopez, Parks and Recreation Commission
 - Gabe Gutierrez, Planning Commission
 - Michael Lengyel, Growth Management Oversight Comm.

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Aguilar, to reappoint the above commissioners. The motion carried by the following vote:

Yes: 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

CITY MANAGER’S REPORTS

There were none.

MAYOR’S REPORTS

Mayor Casillas Salas thanked staff on the Employee Appreciation Committee. She reported on her attendance at the 20th anniversary celebration of the Joseph Casillas Elementary School and El Grito, the Mexican Independence Day celebration.

COUNCILMEMBERS’ COMMENTS

Councilmember Aguilar reported on her attendance at the South County Economic Development Council Summit and spoke regarding the importance of a four-year university in Chula Vista.

CITY ATTORNEY'S REPORTS

City Attorney Googins reported on his attendance at the South County Economic Development Council Summit and informed Council of an upcoming Open Government and Ethics Training presentation.

City Attorney Googins announced that the Council would convene in closed session to discuss Items 9 and 10, listed below, and that Item 11 would be continued to a future date. He stated that he and Mayor Casillas Salas would abstain and would not participate on Item 9A due to being named personally in the subject lawsuit.

Mayor Casillas Salas recessed the meeting at 6:37 p.m. The Council reconvened in Closed Session at 6:44 p.m.

CLOSED SESSION

Pursuant to Resolution No. 13706 and Council Policy No. 346-03, Official Minutes and records of action taken during Closed Sessions are maintained by the City Attorney.

- 9. [18-0429](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)

A. Name of case: Alexandra Investments, Inc., et al. v. City of Chula Vista, et al., San Diego Superior Court, Case No. 37-2018-00010121-CU-NP-CTL

B. Name of case: Tara Zaragoza v. Chriezi L. Valerio, et al; SDSC No. 37-2017-00033782-CU-PA-CTL

ACTION: Item 9(A): Reportable action pending finalization of settlement.

Item 9(B): No reportable action.

10. [18-0433](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4):

One [1] Case (property located at northeast corner of First Ave. and Milan Court, Chula Vista, CA)

ACTION: No reportable action.

11. [18-0394](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4):
[1] Case

Item 11 was not discussed and was continued to a future date.

ADJOURNMENT

At 7:17 p.m., the meeting was adjourned to the Special City Council Meeting on September 20, 2018, at 4:00 p.m., in the Executive Conference Room; and thence to the Regular City Council Meeting on September 25, 2018, at 5:00 p.m., in the Council Chambers.

Kerry K. Bigelow, MMC, City Clerk