

City of Chula Vista

Meeting Minutes - Final

Tuesday, January 26, 2016

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 5:08 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.

ROLL CALL:

Present: Councilmember Aguilar, Councilmember Bensoussan, Councilmember McCann, Deputy Mayor Miesen and Mayor Casillas Salas

Also Present: City Manager Halbert, City Attorney Googins, City Clerk Norris, and Assistant City Clerk Bigelow

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Deputy Mayor Miesen led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

A. [16-0020](#) OATHS OF OFFICE

- Emma Abutin - Commission on Aging
- Patricia Fernandez - International Friendship Commission
- Thomas Doyle - Parks & Recreation Commission
- Gloria Juarez - Growth Management Oversight Commission
- Rodney Caudillo - Growth Management Oversight Commission
- Duaine Hooker - Growth Management Oversight Commission
- Samuel Strong - Youth Action Council
- Matthew Hong - Youth Action Council
- Daniela Diaz - Youth Action Council
- Colin Tam - Youth Action Council
- Gabriela Perez - Youth Action Council
- Elizabeth Hafen - Youth Action Council
- Hannah Johnson - Youth Action Council
- Paris Delgado - Youth Action Council

City Clerk Norris administered the oaths of office to Commissioners Abutin, Doyle, Fernandez, Hooker, and Juarez, and Councilmember Bensoussan presented them with certificates of appointment.

City Clerk Norris administered the oaths of office to Commissioners Delgado, Diaz, Hafen, Hong, Johnson, Perez, Strong, and Tam, and Councilmember McCann presented them with certificates of appointment.

CONSENT CALENDAR (Items 1 - 7)

1. [16-0048](#) APPROVAL OF MINUTES of January 12 and 14, 2016.

Recommended Action: Council approve the minutes.
2. [16-0016](#) WRITTEN COMMUNICATIONS

A. Letter of resignation from Nancy Sedgwick, Resource Conservation Commission

B. Memorandum from Councilmember Aguilar requesting an excused absence from the December 8, 2015 City Council meeting.

Recommended Action: Council accept the resignation and excuse the absence.
3. [16-0022](#) ORDINANCE NO. 3361 OF THE CITY OF CHULA VISTA APPROVING THE TELEGRAPH CANYON DRAINAGE CHANNEL UPDATED NEXUS STUDY AND AMENDING ORDINANCE NO. 2384 ACCORDINGLY (SECOND READING AND ADOPTION)

Recommended Action: Council adopt the ordinance.
4. [15-0646](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING MUNICIPAL CODE SECTION 20.04.50 - "BUSINESS RESOURCE AND ENERGY EVALUATIONS," STREAMLINING BUSINESSES' REQUIREMENTS FOR PARTICIPATION IN RESOURCE AND ENERGY EVALUATIONS (FIRST READING)

Recommended Action: Council place the ordinance on first reading.
5. [15-0676](#) RESOLUTION NO. 2016-008 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE CALIFORNIA PRODUCT STEWARDSHIP COUNCIL (CPSC) ESTABLISHING COLLECTION LOCATIONS FOR HOUSEHOLD BATTERIES AND ONE-POUND GAS CYLINDERS; WAIVING THE COMPETITIVE BID REQUIREMENT AS ALLOWED PER CVMC 2.56.070B4 AND 2.56.090.B.2 AND B.3

Recommended Action: Council adopt the resolution.
6. [15-0688](#) RESOLUTION NO. 2016-009 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT IN THE AMOUNT OF \$150,000 BETWEEN THE CITY OF CHULA VISTA AND THE CENTER FOR SUSTAINABLE ENERGY (CSE) FOR SUPPORT IN IMPLEMENTING THE CITY OF CHULA VISTA'S SUSTAINABLE COMMUNITIES PROGRAM

Recommended Action: Council adopt the resolution.

7. [16-0007](#) RESOLUTION NO. 2016-010 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2015/2016 OTHER GRANTS FUND BUDGET BY APPROPRIATING \$34,290 TO ACCEPT A GRANT FROM ROY AND MARIAN HOLLEMAN FOUNDATION (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

Approval of the Consent Calendar

ACTION: A motion was made by Councilmember Bensoussan, seconded by Councilmember McCann, 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, Bensoussan, McCann, Miesen and Casillas Salas

No: 0

Abstain: 0

ITEMS REMOVED FROM THE CONSENT CALENDAR

There were none.

PUBLIC HEARINGS

8. [16-0005](#) CONSIDERATION OF AMENDING CHAPTER 19.02 OF THE CHULA VISTA MUNICIPAL CODE TO AFFIRM PERMISSIVE ZONING AND CLARIFY PROHIBITED USES

A. EMERGENCY ORDINANCE NO. 3362-A OF THE CITY OF CHULA VISTA AMENDING CHAPTER 19.02 OF THE CHULA VISTA MUNICIPAL CODE TO AFFIRM PERMISSIVE ZONING PRINCIPLES AND TO CLARIFY THAT USES PROHIBITED ELSEWHERE IN THE MUNICIPAL CODE ARE ALSO PROHIBITED LAND USES (4/5 VOTE REQUIRED)

B. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 19.02 OF THE CHULA VISTA MUNICIPAL CODE TO AFFIRM PERMISSIVE ZONING PRINCIPLES AND TO CLARIFY THAT USES PROHIBITED ELSEWHERE IN THE MUNICIPAL CODE ARE ALSO PROHIBITED LAND USES (FIRST READING)

Deputy City Attorney McClurg provided information regarding the item.

Notice of the hearing was given in accordance with legal requirements, and the hearing was held on the date and no earlier than the time specified in the notice.

Mayor Casillas Salas opened the public hearing.

The following members of the public spoke in opposition to staff's recommendation:

- Cynara Velasquez, San Diego resident, representing the Association of Cannabis Professionals, and she also spoke in support of the City establishing zoning regulations for medical marijuana cultivation
- Oscar London, Chula Vista resident

The following members of the public spoke in support of staff's recommendation:

- Scott Chipman, San Diego resident, representing San Diegans for Safe Neighborhoods, and he also distributed written communications to the Council
- Barbara Gordon
- Carol Green, Chula Vista resident
- Kathleen Lippitt, Poway resident
- Frank Zimmerly, Chula Vista resident

Rose Cisneros, Chula Vista resident, submitted written documentation in opposition to staff's recommendation and declined to speak.

There being no other members of the public who wished to speak, Mayor Casillas Salas closed the public hearing.

City Attorney Googins, and Deputy City Attorneys McClurg and Shirey responded to questions from the Council.

ACTION: A motion was made by Mayor Casillas Salas, seconded by Deputy Mayor Miesen, that Emergency Ordinance No. 3362-A be adopted and the above ordinance (Item 8B) be placed on first reading, headings read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, McCann, Miesen and Casillas Salas

No: 0

Abstain: 0

PUBLIC COMMENTS

Jock Rodriguez, Chula Vista resident, expressed concern regarding the handling of an incident that occurred at Castle Park Middle School.

ACTION ITEMS

9. [16-0034](#) PRESENTATION ON THE FIRST PHASE OF A MULTI-PHASE PROCESS TO ATTRACT AN INSTITUTIONAL PARTNER AND FUNDING SOURCE TO DEVELOP THE UNIVERSITY AND INNOVATION DISTRICT

City Manager Halbert spoke regarding the item.

Omar Blake and Alex Feldman, representing U3 Advisors, gave a presentation on the item.

The following members of the public spoke in support of staff's recommendation:

- Paul Borden, representing HomeFed Corporation
- Stephen Haase, representing Baldwin & Sons

Phil Ortiz, Chula Vista resident, submitted written documentation in support of staff's recommendation and declined to speak.

ACTION: A motion was made by Mayor Casillas Salas, seconded by Councilmember Bensoussan, that the above report be accepted, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, McCann, Miesen and Casillas Salas

No: 0

Abstain: 0

Dr. Mani spoke regarding financing for the University project under Item 9 and in support of staff's recommendation.

CITY MANAGER'S REPORTS

City Manager Halbert reported on the upcoming demolition of the structure in Memorial Park that previously housed the Chula Vista Heritage Museum, and the relocation of the drop hammer to Bay Boulevard Park.

MAYOR'S REPORTS

Mayor Salas announced the upcoming opening of the Chula Vista Heritage Museum's exhibit on the Great Flood of 1916.

10. [16-0038](#) Presentation of the COP21: Advocating for Climate Change Action

Mayor Casillas Salas gave a presentation on the recent COP21 meeting in Paris, France.

COUNCILMEMBERS' COMMENTS

Deputy Mayor Miesen announced the upcoming Chula Vista Small Business Seminar and Resource Expo.

Councilmember McCann spoke regarding his environmental conservation efforts. He announced Olympic View Elementary School's upcoming anniversary as well as the Relay for Life fundraising event.

Councilmember Bensoussan announced the upcoming HarborFest event in August 2016.

Mayor Casillas Salas spoke regarding the upcoming annual homeless count, which would be coordinated by South Bay Community Services and the County of San Diego.

ADJOURNMENT

At 7:44 p.m., Mayor Casillas Salas adjourned the meeting to the Regular City Council Meeting on February 2, 2016, at 5:00 p.m., in the Council Chambers.

Kerry K. Bigelow, Assistant City Clerk