

# City of Chula Vista

## Meeting Minutes - Draft

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Tuesday, August 18, 2015

5:00 PM

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

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### 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 5:05 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.*

#### ROLL CALL:

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

*Councilmember Aguilar arrived at 5:06 p.m.*

*Also Present: City Manager Halbert, City Attorney Googins, Assistant City Clerk Bigelow, and Deputy City Clerk Kansas*

#### PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

*Deputy Mayor Bensoussan led the Pledge of Allegiance.*

#### SPECIAL ORDERS OF THE DAY

- A. [15-0383](#) INTRODUCTION BY ENVIRONMENTAL SERVICES MANAGER LYNN FRANCE, CONSERVATION SPECIALIST CORY DOWNS AND SWEETWATER AUTHORITY PROGRAM MANAGER SUE MOSBERG OF THE LAUNDRY-TO-LANDSCAPE PUBLIC EDUCATION DISPLAY CREATED AS A COLLABORATION BETWEEN THE CONSERVATION SECTION OF THE PUBLIC WORKS DEPARTMENT AND SWEETWATER AUTHORITY

*Environmental Services Manager France and Conservation Specialist Downs gave a presentation on the Laundry-to-Landscape public education display.*

- B. [15-0415](#) PRESENTATION BY PARADE DIRECTOR LIEUTENANT COMMANDER HENRY A. MARTINEZ II AND VETERAN'S ELEMENTARY PRINCIPAL FROYLAN VILLANUEVA OF THE 2015 VETERANS DAY PARADE

*Mayor Salas announced that Item B would not be heard at that time.*

- C. [15-0464](#) INTRODUCTION OF THE CITY OF CHULA VISTA'S SISTER CITY ODAWARA, JAPAN YOUTH AMBASSADORS KAITO TSUCHIYA, AYAKA SATO, YUKIE MATSUNAGA AND AKIKO SAKATA, PARTICIPANTS IN THE ANNUAL INTERNATIONAL FRIENDSHIP COMMISSION'S EXCHANGE PROGRAM AND A PRESENTATION BY THE CHULA VISTA YOUTH AMBASSADORS LOREN FERNANDEZ, MARIO ORSO, MOLLY UYEDA AND GITAILIA DI FERRETTI REGARDING THEIR EXPERIENCE IN ODAWARA

*Loren Fernandez, Molly Uyeda, Mario Orso, and Gitaila Di Ferretti gave a presentation on their experiences in Odawara, Japan through the International Friendship Commission's exchange program and introduced Japan youth ambassadors Kaito Tsuchiya, Ayaka Sato, Yukie Matsunaga, and Akiko Sakata.*

- D. [15-0477](#) RECOGNITION OF THE CHULA VISTA SOUTH PONY BASEBALL LEAGUE FOR DEFEATING THE DOMINICAN REPUBLIC AND CLAIMING THE 2015 PONY-13 INTERNATIONAL WORLD SERIES AND FOR CARRYING A 20-0 RECORD THROUGHOUT THEIR JOURNEY

*Mayor Salas recognized the Chula Vista South Pony-13 baseball team players, manager and coaches, and Councilmember McCann presented them with certificates of recognition.*

- \* [15-0494](#) PRESENTATION OF A PROCLAMATION COMMENDING ANDREA "THE BOSS" MEDINA'S BOXING VICTORIES IN THE CITY OF CHULA VISTA

*Mayor Salas read the proclamation and Councilmember Miesen presented it to Ms. Medina. Ms. Medina presented Mayor Salas with a pair of boxing gloves.*

- E. [15-0473](#) PRESENTATION BY SUSANNA LOPEZ-ADOLPH OF COMMUNITY HOUSING IMPROVEMENT PARTNERS (CHIP) ON THE CENTER FOR DISEASE CONTROL AND PREVENTION'S RACIAL AND ETHNIC APPROACHES TO COMMUNITY HEALTH (CDC REACH) GRANT TO ADDRESS BARRIERS AND DETERMINANTS OF OBESITY AND DIABETES IN WESTERN CHULA VISTA AND INTRODUCTION OF RELATED CIVIC ENGAGEMENT BY DEVELOPMENT SERVICES STAFF STACEY KURZ OF THE HEALTHY CHULA VISTA INITIATIVE

*Susanna Lopez-Adolph, representing Community Housing Improvement Partners, gave a presentation on the Reach grant program. Senior Project Coordinator Kurz provided information on the Healthy Chula Vista Initiative.*

- F. [15-0482](#) PRESENTATION OF A PROCLAMATION TO REACH CHULA VISTA PROGRAM MANAGER SUSANNA LOPEZ-ADOLPH AND SENIOR PROJECT COORDINATOR, HEALTHY CHULA VISTA STACEY KURZ PROCLAIMING SEPTEMBER 2015 AS LATINO HEALTH AWARENESS MONTH AND NATIONAL CHILDHOOD OBESITY AWARENESS MONTH IN THE CITY OF CHULA VISTA

*Mayor Salas read the proclamation and Councilmember Aguilar presented it to Senior Project Coordinator Kurz and Susanna Lopez-Adolph.*

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- \* [15-0495](#) PRESENTATION OF A PROCLAMATION TO SOUTH BAY PRIDE, PROCLAIMING SATURDAY, SEPTEMBER 12, 2015, AS PRIDE DAY IN THE CITY OF CHULA VISTA

*Mayor Salas read the proclamation and Deputy Mayor Bensoussan presented it to Joseph Burke, representing South Bay Pride.*

## CONSENT CALENDAR (Items 1 - 15)

*Councilmember McCann stated he would abstain from voting on Item 4 due to a potential property-related conflict of interest.*

*Jason Anderson, representing Cleantech San Diego, submitted written documentation in support of Item 10 and declined to speak.*

1. [15-0485](#) APPROVAL OF MINUTES of July 21, 2015.  
**Recommended Action: Council approve the minutes.**
2. [15-0488](#) ORDINANCE NO. 3353 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.24 OF THE CHULA VISTA MUNICIPAL CODE ADDING SECTION 15.24.070 SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS (SECOND READING AND ADOPTION)  
**Recommended Action: Council adopt the ordinance.**
3. [15-0385](#) RESOLUTION NO. 2015-198 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE COMPLETE STREETS POLICY  
**Recommended Action: Council adopt the resolution.**
4. [15-0363](#) ORDINANCE OF THE CITY OF CHULA VISTA REPEALING ORDINANCE NO. 2533 FOR THE TELEGRAPH CANYON SEWER BASIN DEVELOPMENT IMPACT FEE (FIRST READING)  
**Recommended Action: Council place the ordinance on first reading.**
5. [15-0365](#) RESOLUTION NO. 2015-199 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE PURCHASE OF TWO (2) COMBINATION SEWER CLEANING TRUCKS IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF CITY OF ESCONDIDO BID NUMBER 13-07, 2014 AND PURCHASE ORDER NUMBER ESC-0000034389  
**Recommended Action: Council adopt the resolution.**
6. [15-0379](#) RESOLUTION NO. 2015-200 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE CITY MANAGER TO ENTER INTO A SECOND AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING WITH THE CENTER FOR EMPLOYMENT OPPORTUNITIES  
**Recommended Action: Council adopt the resolution.**

7. [15-0384](#) RESOLUTION NO. 2015-201 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING A GRANT FROM CALRECYCLE'S LOCAL GOVERNMENT HOUSEHOLD HAZARDOUS WASTE DISCRETIONARY GRANT PROGRAM, APPROPRIATING \$90,000 TO THE WASTE MANAGEMENT AND RECYCLING FUND, AND AUTHORIZING THE PUBLIC WORKS DIRECTOR OR DESIGNEE TO EXECUTE ALL GRANT DOCUMENTS AND IMPLEMENT PROJECTS FUNDED BY THE GRANT (4/5 VOTE REQUIRED)

**Recommended Action: Council adopt the resolution.**

8. [15-0468](#) RESOLUTION NO. 2015-202 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2015-16 EQUIPMENT REPLACEMENT FUND BUDGET TO INCREASE OUTFITTING COSTS FOR THE REPLACEMENT OF BATTALION CHIEF RESPONSE VEHICLES AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

**Recommended Action: Council adopt the resolution.**

9. [15-0476](#) RESOLUTION NO. 2015-203 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA URGING THE STATE TO PROVIDE NEW SUSTAINABLE FUNDING FOR STATE AND LOCAL TRANSPORTATION INFRASTRUCTURE

**Recommended Action: Council adopt the resolution.**

10. [15-0435](#) RESOLUTION NO. 2015-204 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING ASSOCIATE MEMBERSHIP BY THE CITY OF CHULA VISTA IN THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY AND AUTHORIZING AND DIRECTING THE EXECUTION OF AN ASSOCIATE MEMBERSHIP AGREEMENT RELATING TO ASSOCIATE MEMBERSHIP OF THE CITY IN THE AUTHORITY; CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE INCORPORATED AREA OF THE CITY IN THE SAN DIEGO COUNTY PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES AND ENERGY AND WATER EFFICIENCY IMPROVEMENTS, APPROVING THE REPORT SETTING FORTH THE PARAMETERS OF THE REFERENCED PROGRAM AND CERTAIN MATTERS IN CONNECTION THEREWITH, AND APPROVING AN INDEMNITY AGREEMENT WITH THE PROGRAM ADMINISTRATOR

**Recommended Action: Council adopt the resolution.**

11. [15-0398](#) INVESTMENT REPORT FOR THE QUARTER ENDED JUNE 30, 2015

**Recommended Action: Council accept the report.**

12. [15-0469](#) A. RESOLUTION NO. 2015-205 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE STATE BOARD OF EQUALIZATION FOR IMPLEMENTATION OF THE LOCAL PREPAID MOBILE TELEPHONY SERVICES COLLECTION ACT

B. RESOLUTION NO. 2015-206 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE EXAMINATION OF PREPAID MOBILE TELEPHONY SERVICES SURCHARGE AND LOCAL CHARGE RECORDS

**Recommended Action: Council adopt the resolutions.**

13. [15-0426](#) RESOLUTION NO. 2015-207 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT ("TASER QUOTATION") BETWEEN THE CITY AND TASER INTERNATIONAL FOR THE PURCHASE OF BODY WORN CAMERAS, DATA STORAGE AND RELATED PRODUCT SUPPORT SERVICES

**Recommended Action: Council adopt the resolution.**

14. [15-0427](#) RESOLUTION NO. 2015-208 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE FORMAL BID REQUIREMENT AND APPROVING AN AGREEMENT BETWEEN THE CITY AND WINBOURNE CONSULTING, LLC TO PROVIDE PROJECT MANAGEMENT SERVICES FOR COMPUTER AIDED DISPATCH AND JAIL MANAGEMENT SYSTEM

**Recommended Action: Council adopt the resolution.**

15. [15-0443](#) RESOLUTION NO. 2015-209 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$70,000 FROM THE COUNTY OF SAN DIEGO, AND APPROPRIATING SAID FUNDS TO THE POLICE GRANT FUND FOR REGIONAL REALIGNMENT RESPONSE EFFORTS (4/5 VOTE REQUIRED)

**Recommended Action: Council adopt the resolution.**

*Approval of the Consent Calendar*

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

**Items 1 through 3, and 5 through 15:**

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

**No:** 0

**Abstain:** 0

**ACTION: Item 4:****Yes:** 4 - Aguilar, Bensoussan, Miesen and Salas**No:** 0**Abstain:** 1 - McCann**ITEMS REMOVED FROM THE CONSENT CALENDAR**

*There were none.*

**PUBLIC COMMENTS**

*The following members of the public expressed concern regarding the condition of infrastructure, graffiti, and safety in west Chula Vista:*

- Jessica Cobain, representing Alliance for Californians for Community Empowerment (ACCE)*
- Jose Lopez, Chula Vista resident*
- Margie Cordero, Chula Vista resident*
- Ben Flores, Chula Vista resident*
- Paola Martinez-Montes, representing ACCE*

*Mayor Salas referred the concerns expressed by the above speakers to City Manager Halbert.*

*The following members of the public spoke regarding maintaining benefits and cost of living increases for City employees:*

- Donna Davis, City of Chula Vista employee*
- Jeanie Balderas, City of Chula Vista employee*
- Kim Vander Bie, City of Chula Vista employee*
- David Garcias, President, representing SEIU Local 221, and also spoke in support of investing in the west side of Chula Vista*

**ACTION ITEMS****16. [15-0441](#) A. SMART CITIES PRESENTATION**

**B. RESOLUTION NO. 2015-210 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT TO PROVIDE ENERGY TECHNOLOGY AND SUSTAINABLE BUILDING CONSTRUCTION AND DESIGN ANALYSIS SERVICES FOR THE BAYFRONT PROJECT BETWEEN THE CITY AND BLACK AND VEATCH CORPORATION AND AUTHORIZING THE CITY MANAGER TO EXERCISE TWO ONE-YEAR OPTIONS TO EXTEND THE AGREEMENT AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)**

*Mayor Salas stated she had a potential property-related conflict of interest on Item 16B and would abstain from voting and participation in that portion of the item.*

*City Manager Halbert provided information on the Smart Cities program and related initiatives.*

*Aidoo Osei, Director of Business Development, representing Qualcomm Technologies, Inc., gave a presentation on the Smart Cities program.*

*Council discussion ensued regarding the program and technology in Chula Vista.*

*Mayor Salas left the dais at 6:49 p.m.*

*Rick Azer, representing Black & Veatch, gave a presentation regarding energy technology and sustainable building construction and design analysis services proposed for the Bayfront.*

*Jason Anderson, representing Cleantech San Diego, submitted written documentation in support of the item.*

**ACTION:** A motion was made by Councilmember McCann, seconded by Councilmember Miesen, that Resolution No. 2015-210 be adopted, heading read, text waived. The motion carried by the following vote:

**Yes:** 4 - Aguilar, Bensoussan, McCann and Miesen

**No:** 0

**Abstain:** 1 - Salas

*Mayor Salas returned to the dais at 7:03 p.m.*

## **CITY MANAGER'S REPORTS**

*There were none.*

## **MAYOR'S REPORTS**

*Mayor Salas wished the Sweetwater Valley Little League good luck in the upcoming Little League World Series game. She reported on her attendance at the opening of the Castle Park Middle School farmers market and career night at Castle Park High School.*

*Mayor Salas recognized the Fire Department employees who were deployed to assist in fighting California fires.*

*She also announced the 95th anniversary of women's right to vote.*

## **COUNCILMEMBERS' COMMENTS**

*Deputy Mayor Bensoussan announced the upcoming Ribbons and Shovels awards deadline. Marketing and Communications Manager Steinberger provided information on applying for the program. Deputy Mayor Bensoussan also announced the Harborfest event on August 22, 2015.*

*Councilmember Miesen recognized Tino Martinez and the Southwest Chula Vista Civic Association for its anti-graffiti program. He also recognized Deputy Mayor Bensoussan and City staff for their efforts related to the Harborfest events.*

*Councilmember McCann recognized Deputy City Manager Kachadoorian and Finance & Purchasing Manager Bilby for their initiative in proposing the refinancing of the community facilities districts, resulting in significant savings to the City. He recognized participants in the recent community clean up event in Rolling Hills Ranch. Councilmember McCann wished Sweetwater Valley Little League luck in the upcoming Little League World Series.*

*City Attorney Googins announced that the Council would convene in closed session to discuss the items listed below. He recommended that Mayor Salas recuse herself from Items 17 and 19. Mayor Salas stated she would abstain from participating in discussion and voting on those items.*

*At 7:19 p.m., the Council convened in Closed Session.*

**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.

17. [15-0483](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Government Code Section 54956.9 (b)

One Case.

*Item 17 was not discussed.*

18. [15-0484](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING  
LITIGATION PURSUANT TO GOVERNMENT CODE SECTION  
54956.9 (a)

City of Chula Vista v. Bay & E, Inc., et al., San Diego Superior Court,  
Case No. 37-2013-00055103-CU-MC-CTL

**ACTION:** No reportable action

19. [15-0487](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT  
TO GOVERNMENT CODE SECTION 54956.8

- Property:

- (1) Approximately 36.5 Acres located on the Chula Vista Bayfront at  
H Street and Marina Parkway;
- (2) Assessor Parcel Nos. 5670213201 and 5670213500 located at  
Lagoon Drive and Bay Boulevard;
- (3) 999 Lagoon Drive (APN 5670110400);
- (4) 960 F Street/300 Marina Parkway (APN 5670101800);
- (5) 980 F Street/980 Lagoon Drive (APN 5670101900); and
- (6) 610 Bay Boulevard

- Agency Negotiators: Gary Halbert, Maria Kachadoorian, Eric Crockett,  
Tiffany Allen, Glen Googins

- Negotiating Parties: City of Chula Vista, San Diego Unified Port  
District, and RIDA Development Corporation

- Under Negotiation: Price and Terms

**ACTION:** No reportable action

**ADJOURNMENT**

*At 8:55 p.m., Mayor Salas adjourned the meeting to the Regular City Council Meeting on September 15, 2015, at 5:00 p.m., in the Council Chambers.*

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Kerry K. Bigelow, Assistant City Clerk