

City of Chula Vista

Meeting Minutes - Final

Tuesday, June 14, 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 5:03 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 and Mayor Casillas Salas

Absent: Deputy Mayor Miesen

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

Councilmember McCann led the Pledge of Allegiance.

Mayor Casillas Salas called for a moment of silence in honor of those who were killed in the recent shooting in Orlando.

SPECIAL ORDERS OF THE DAY

- A. [16-0321](#) SPECIAL RECOGNITION HONORING NEW UNITED STATES ARMY RECRUITS FROM CHULA VISTA

Mayor Casillas Salas and Army Captain Suarez recognized the new U.S. Army Recruits from Chula Vista.

- B. [16-0315](#) PRESENTATION OF A PROCLAMATION TO COMMANDER CAPTAIN CHRISTOPHER SUAREZ PROCLAIMING TUESDAY, JUNE 14, 2016 AS ARMY DAY IN THE CITY OF CHULA VISTA

Mayor Casillas Salas read the proclamation and Councilmember Bensoussan presented it to Army Captain Suarez.

CONSENT CALENDAR (Items 1 - 10)

Mayor Casillas Salas announced that an amended resolution for Item 10 had been distributed to Council and that the amended resolution would be the final resolution should the item be approved.

1. [16-0308](#) APPROVAL OF MINUTES of May 17 and 24, and June 7, 2016.

Recommended Action: Council approve the minutes.

2. [16-0311](#) WRITTEN COMMUNICATIONS

Memorandum from Councilmember Aguilar requesting an excused absence from the May 24, 2016 City Council meeting.

Recommended Action: Council excuse the absence.

3. [16-0313](#) ORDINANCE NO. 3368 OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.05.010 RELATING TO THE ESTABLISHMENT OF UNCLASSIFIED POSITIONS TO ADD FA DEPUTY EXECUTIVE DIRECTOR, FA EXECUTIVE DIRECTOR AND FA PUBLIC PRIVATE PARTNERSHIP AND EXERCISE PROGRAM MANAGER AND DELETE CALIFORNIA BORDER ALLIANCE GROUP (CBAG) DEPUTY EXECUTIVE DIRECTOR, CBAG EXECUTIVE DIRECTOR AND TREASURY AND BUSINESS MANAGER (SECOND READING AND ADOPTION) (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the ordinance.

4. [16-0312](#) ORDINANCE NO. 3369 OF THE CITY OF CHULA VISTA INCREASING THE SPEED LIMIT ON BONITA ROAD BETWEEN WILLOW STREET AND EASTERLY CITY LIMIT FROM 35 MPH TO 40 MPH, AND AMENDING SCHEDULE X OF THE REGISTER MAINTAINED IN THE OFFICE OF THE CITY ENGINEER TO REFLECT THE REVISED SPEED LIMIT (SECOND READING AND ADOPTION)

Recommended Action: Council adopt the ordinance.

5. [16-0056](#) RESOLUTION NO. 2016-112 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT BETWEEN THE CITY OF CHULA VISTA, SAN DIEGO COUNTY SANITATION DISTRICT, AND THE COUNTY OF SAN DIEGO FOR RESERVING WASTEWATER TRANSPORTATION CAPACITY RIGHTS IN THE SALT CREEK INTERCEPTOR SEWER

Recommended Action: Council adopt the resolution.

6. [16-0253](#) RESOLUTION NO. 2016-113 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND SAN DIEGO COUNTY SANITATION DISTRICT WHICH SHALL EXTEND THE DURATION OF THE CITY'S WASTEWATER TRANSPORTATION CAPACITY RIGHTS IN THE SPRING VALLEY OUTFALL SEWERAGE SYSTEM

Recommended Action: Council adopt the resolution.

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7. [16-0167](#) RESOLUTION NO. 2016-114 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING CONTINUATION OF THE ELECTRICITY COMMODITY PURCHASES FROM SHELL ENERGY AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS IN CONJUNCTION WITH THE PURCHASES
- Recommended Action: Council adopt the resolution.**
8. [16-0259](#) RESOLUTION NO. 2016-115 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE FORMAL BID REQUIREMENT AND APPROVING THE EQUIPMENT AND SOFTWARE LEASE CONTRACT WITH MOTOROLA SOLUTIONS, INC. FOR THE PREMIERONE COMPUTER AIDED DISPATCH AND MOBILE, WITH PREMIERONE JAIL HARDWARE, SOFTWARE AND SERVICES SOLUTION
- Recommended Action: Council adopt the resolution.**
9. [16-0287](#) RESOLUTION NO. 2016-116 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$77,387 FROM THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL AND AMENDING THE FISCAL YEAR 2016/2017 ADOPTED BUDGET BY APPROPRIATING SAID FUNDS TO THE POLICE GRANT FUND (4/5 VOTE REQUIRED)
- Recommended Action: Council adopt the resolution.**
10. [16-0272](#) RESOLUTION NO. 2016-117 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO PURCHASE VARIOUS COMPUTER EQUIPMENT FROM DELL, INC. UTILIZING NASPO VALUEPOINT CONTRACT; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO ENTER INTO LEASE AGREEMENTS WITH DELL FINANCIAL SERVICES TO LEASE COMPUTER WORKSTATIONS; AND APPROVING A TRANSFER OF \$40,000 FROM THE FISCAL YEAR 2015/2016 INFORMATION TECHNOLOGY SERVICES CAPITAL BUDGET TO THE FISCAL YEAR 2015/2016 INFORMATION AND TECHNOLOGY SERVICES SUPPLIES AND SERVICES BUDGET (4/5 VOTE REQUIRED)
- Recommended Action: Council adopt the resolution.**

Approval of the Consent Calendar

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

Yes: 4 - Aguilar, Bensoussan, McCann and Casillas Salas

No: 0

Abstain: 0

ITEMS REMOVED FROM THE CONSENT CALENDAR

There were none.

PUBLIC COMMENTS

Ira Morris, Chula Vista resident, expressed concern regarding the newly implemented recreational vehicle ordinance and spoke in support of an alternative permitting process for residents.

PUBLIC HEARINGS

- 11. [16-0286](#) CONSIDERATION OF ACCEPTING THE 2016 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FUNDS

RESOLUTION NO. 2016-118 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$47,700 FROM THE BUREAU OF JUSTICE ASSISTANCE FOR THE 2016 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

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.

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

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Bensoussan, that Resolution No. 2016-118 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, McCann and Casillas Salas

No: 0

Abstain: 0

- 12. [16-0252](#) CONSIDERATION OF APPROVING THE CHULA VISTA BAYFRONT NATURAL RESOURCES MANAGEMENT PLAN

RESOLUTION NO. 2016-119 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE CHULA VISTA BAYFRONT NATURAL RESOURCES MANAGEMENT PLAN, A COORDINATED EFFORT BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT, THE CITY OF CHULA VISTA, AND THE WILDLIFE ADVISORY GROUP (MPA-16-0005)

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.

Principal Planner Power gave a presentation on the item.

Mayor Casillas Salas opened the public hearing.

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

- Laura Hunter, representing the Environmental Health Coalition
- Bob Coleman, Chula Vista resident

Allison Rolfe, representing Pacifica, submitted written documentation in support of staff's recommendation and was not present to speak.

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

ACTION: A motion was made by Mayor Casillas Salas, seconded by Councilmember McCann, that Resolution No. 2016-119 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, McCann and Casillas Salas

No: 0

Abstain: 0

13. [16-0203](#) CONSIDERATION OF WAIVING IRREGULARITIES IN THE BID RECEIVED FOR THE COMBINED ADVERTISEMENT OF THE "BIKE LANE ALONG EAST "H" STREET [STM-382]" AND "OTAY RANCH PRESERVE ACCESS CONTROL [GG-223]" PROJECTS PER CITY CHARTER SECTION 1009

A. RESOLUTION NO. 2016-120 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS, WAIVING MINOR IRREGULARITIES, AND AWARDING THE CONTRACT FOR THE COMBINED ADVERTISEMENT OF THE "BIKE LANE ALONG EAST "H" STREET [STM-382]" AND "OTAY RANCH PRESERVE ACCESS CONTROL [GG-223]" PROJECTS TO PAL GENERAL ENGINEERING, INC. IN THE AMOUNT OF \$2,326,865.42; WAIVING CITY COUNCIL POLICY NO. 574-01 AND AUTHORIZING THE EXPENDITURE OF ALL AVAILABLE CONTINGENCY FUNDS NOT TO EXCEED \$290,266; AND APPROPRIATING \$144,435 FROM THE AVAILABLE BALANCE OF THE TRANSPORTATION DEVELOPMENT IMPACT FEE (TDIF) FUND TO STM-382 (4/5 VOTE REQUIRED)

B. RESOLUTION NO. 2016-121 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REIMBURSEMENT AGREEMENT BETWEEN LUTHERAN HIGH SCHOOL OF SAN DIEGO AND THE CITY OF CHULA VISTA FOR THE CONSTRUCTION OF IMPROVEMENTS INCORPORATED INTO STM-382 AND APPROPRIATING \$415,689 TO THE CAPITAL IMPROVEMENT FUND BASED ON REVENUE ASSOCIATED WITH SAID AGREEMENT TO STM-382 (4/5 VOTE REQUIRED)

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.

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

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Aguilar, that Resolution Nos. 2016-120 and 2016-121 be adopted, headings read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, McCann and Casillas Salas

No: 0

Abstain: 0

14. [16-0110](#) CONSIDERATION OF AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS AND THE RENEWAL OF THE DOWNTOWN CHULA VISTA PROPERTY-BASED IMPROVEMENT DISTRICT (PBID) FOR A PERIOD OF TEN YEARS

RESOLUTION NO. 2016-122 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE MANAGEMENT DISTRICT PLAN AND FINAL ENGINEER'S REPORT, RENEWING THE DOWNTOWN CHULA VISTA PROPERTY-BASED BUSINESS IMPROVEMENT DISTRICT FOR A PERIOD OF TEN YEARS AND AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN SUCH DISTRICT, AND APPROVING THE "THIRD AVENUE VILLAGE AGREEMENT AND ENCROACHMENT PERMIT FOR MAINTENANCE SERVICES BETWEEN THE CITY OF CHULA VISTA AND THE THIRD AVENUE VILLAGE ASSOCIATION"

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 stated she would abstain from voting on the item due to a potential property-related conflict of interest. She left the dais at 5:50 p.m.

Councilmember Bensoussan led discussion and voting on the item.

Councilmember Bensoussan opened the public hearing.

Luanne Hulsizer, representing the Third Avenue Village Association (TAVA), thanked the Council for its support of the assessment district and spoke regarding TAVA's role in the proposed agreement.

Cecylia Escarcega, spoke on behalf of her mother, Maria Escarcega, Chula Vista resident. Ms. Escarcega stated her mother's property was located on Church Avenue in the assessment district, and she spoke in opposition to the proposed item.

John Moreno, representing The Star News, submitted written documentation in support of the item and was not present to speak.

There being no other members of the public who wished to speak, Councilmember Bensoussan closed the public hearing.

Luanne Hulsizer and Kristin Lowell, representing TAVA, spoke regarding the maintenance and management agreement requirements.

Councilmember Bensoussan stated that the ballots would be unsealed and tabulated in Council Chambers and that members of the public were welcome to observe the process. She asked Assistant City Clerk Bigelow to open and count the ballots.

Councilmember Bensoussan recessed the meeting at 6:01 p.m.

The Council reconvened at 6:36 p.m., with Councilmembers Aguilar, Bensoussan, and McCann present.

Assistant City Clerk Bigelow conducted the tabulation and reported the results, which were as follows:

- There were 74 ballots received in support, with assessments totaling \$223,442, representing 78.7 percent of the returned ballots.
- There were 52 ballots received in opposition, with assessments totaling \$60,574, representing 21.3 percent of the returned ballots.

City Manager Halbert stated that the proposed agreement would serve as the required maintenance agreement and management agreement, and that an amended agreement would be presented for Council consideration should revisions be necessary in the future.

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Aguilar, that Resolution No. 2016-122 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 3 - Aguilar, Bensoussan and McCann

No: 0

Abstain: 1 - Casillas Salas

Mayor Casillas Salas returned to the dais at 6:40 p.m.

CITY MANAGER'S REPORTS

There were none.

MAYOR'S REPORTS

15. [16-0307](#) CONSIDERATION OF RATIFICATION OF REAPPOINTMENTS TO THE FOLLOWING BOARDS AND COMMISSIONS:

A. REAPPOINTMENTS TO FIRST TERM

(initial term less than 2 years)

Leticia Cazares	Cultural Arts Commission
Ricardo Jimenez	Healthy Chula Vista Advisory Commission
Lucia Martinez	Healthy Chula Vista Advisory Commission
Ana Ruth Robles	Housing Advisory Commission
Diana Velo	Healthy Chula Vista Advisory Commission

B. REAPPOINTMENTS TO SECOND TERM

Bryan Felber	Charter Review Commission
Gary Fink	Historic Preservation Commission
Oscar Romo	Resource Conservation Commission
Robert Ross	Charter Review Commission
Anthony Stewart	Veterans Advisory Commission

C. REAPPOINTMENT TO COUNCIL-NOMINATED/ APPOINTED SEAT
(initial term less than 1 year)

G. Michael German Parks & Recreation Commission

Commissioner German was appointed November 17, 2015. Since he has served less than one year, an interview is not required prior to reappointment, pursuant to Chula Vista Municipal Code section 2.25.055.

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Bensoussan, that the above reappointments to first terms be ratified (Item 15A). The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, McCann and Casillas Salas

No: 0

Abstain: 0

ACTION: A motion was made by Councilmember McCann, seconded by Mayor Casillas Salas, that the above appointments to second terms be ratified (Item 15B). The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, McCann and Casillas Salas

No: 0

Abstain: 0

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Aguilar, that the above reappointment to the Council-nominated/appointed seat be ratified (Item 15C). The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, McCann and Casillas Salas

No: 0

Abstain: 0

Mayor Casillas Salas reported on her recent attendance at the Cox Scholarship Recipients luncheon and congratulated the scholarship recipients. She spoke regarding the recent Economic Development Forum, the American Legion's Food for Warriors event, and a Chamber of Commerce mixer. Mayor Casillas Salas stated she recently attended and presented at the Global City Teams Challenge in Austin.

Mayor Casillas Salas paid tribute to Chula Vista resident David Danciu.

COUNCILMEMBERS' COMMENTS

Councilmember Bensoussan congratulated Mayor Casillas Salas, Deputy Mayor Miesen, and Economic Development Director Crockett for the success of the recent Economic Development Forum.

Councilmember McCann spoke regarding his attendance at the recent quarterly Chula Vista Veteran's Home Foundation meeting.

City Attorney Googins spoke regarding his attendance at the recent BMX Olympic Time Trials at the Olympic Training Center.

ADJOURNMENT

At 6:54 p.m., Mayor Casillas Salas adjourned the meeting to the Regular City Council Meeting on June 21, 2016, at 5:00 p.m., in the Council Chambers.

Kerry K. Bigelow, Assistant City Clerk