

City of Chula Vista

Meeting Minutes - Draft

Tuesday, July 8, 2014

2:00 PM

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

SPECIAL MEETING OF THE HOUSING AUTHORITY MEETING JOINTLY WITH THE CITY COUNCIL OF THE CITY OF CHULA VISTA

CALL TO ORDER

A Regular Meeting of the City Council of the City of Chula Vista was called to order at 2:04 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.

ROLL CALL:

Present: Deputy Mayor Aguilar, Councilmember Bensoussan, Councilmember Ramirez, Councilmember Salas and Mayor Cox

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

Mayor Cox announced, pursuant to AB 23, that she and each Councilmember would receive \$50 for their attendance at this Housing Authority meeting, being held simultaneously with the City Council meeting.

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Library Aide McKenzie led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

- A. 14-0424** PRESENTATION BY LIBRARY DIRECTOR BETTY WAZNIS, OF EMPLOYEE OF THE MONTH YOLANDA MCKENZIE, LIBRARY AIDE

Principal Librarian Loney introduced employee of the month, Yolanda McKenzie. Mayor Cox read the proclamation and Deputy Mayor Aguilar presented it to Ms. McKenzie.

- B. 14-0391** PRESENTATION OF A PROCLAMATION TO DIRECTOR OF RECREATION KRISTI MCCLURE AND DIRECTOR OF PUBLIC WORKS RICHARD HOPKINS PROCLAIMING JULY 2014 AS PARKS AND RECREATION MONTH IN CHULA VISTA

Mayor Cox read the proclamation and Councilmember Bensoussan presented it to Director of Recreation McClure and Director of Public Works Hopkins.

- C. 14-0406** PRESENTATION BY OTAY WATER DISTRICT GENERAL MANAGER MARK WATTON AND SWEETWATER DISTRICT GENERAL MANAGER JIM SMYTH REGARDING THE CURRENT STATE OF WATER, WATER RELIABILITY AND INFRASTRUCTURE

Mark Watton, representing Otay Water District, and Jim Smyth, representing Sweetwater Authority gave a presentation regarding the area's water supply and related infrastructure.

CONSENT CALENDAR (Items 1 - 16)

Item 13 was removed from the Consent Calendar at the request of Councilmember Ramirez. City Attorney Googins stated that a revised agreement for Item 7 had been distributed to the Council.

- 1. 14-0422** APPROVAL OF MINUTES of May 27 and 30, and June 3, 2014.

Recommended Action: Council approve the minutes.

- 2. 14-0401** ORDINANCE NO. 3313 OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.05.010 RELATING TO THE ESTABLISHMENT OF UNCLASSIFIED POSITIONS TO ADD FINANCE MANAGER AND PLANNING MANAGER AND ELIMINATE THE POSITION TITLES OF ASSISTANT DIRECTOR OF INFORMATION TECHNOLOGY SERVICES, FISCAL OPERATIONS MANAGER, AND ADVANCED PLANNING MANAGER (SECOND READING AND ADOPTION) (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the ordinance.

- 3. 14-0375** A. RESOLUTION NO. 2014-115 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CITY COUNCIL POLICY 102-06 (SPECIAL EVENTS AND BLOCK PARTIES) RELATING TO SPECIAL EVENT PERMITS

B. RESOLUTION NO. 2014-116 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CHAPTER 2 (GENERAL GOVERNMENT FEES) OF THE CITY'S MASTER FEE SCHEDULE RELATING TO SPECIAL EVENT PERMITS

C. RESOLUTION NO. 2014-117 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA REPEALING CITY COUNCIL POLICY 762-02 (ESTABLISHING COUNCIL POLICY RELATIVE TO USE OF SPECIAL OFFICERS FOR POLICING NON-CIVIC SPECIAL EVENTS)

Recommended Action: Council adopt the resolutions.

4. **14-0279** RESOLUTION NO. 2014-118 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE FISCAL YEAR 2014-2015 COMPENSATION SCHEDULE AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5

Recommended Action: Council adopt the resolution.

5. **14-0370** A. RESOLUTION NO. 2014-119 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD IN THIS CITY ON JUNE 3, 2014, DECLARING THE RESULTS THEREOF, AND OTHER MATTERS AS ARE PROVIDED BY LAW

B. RESOLUTION NO. 2014-120 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA CALLING AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO BE HELD NOVEMBER 4, 2014, FOR THE PURPOSE OF CONDUCTING A RUN-OFF ELECTION TO ELECT A MAYOR, TWO MEMBERS OF THE CITY COUNCIL, AND A CITY ATTORNEY, PURSUANT TO CHULA VISTA CHARTER SECTIONS 300.A, 300.E, AND 503.C; CONSOLIDATING THE ELECTION WITH THE STATEWIDE ELECTION; REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO PERMIT THE REGISTRAR OF VOTERS TO CONDUCT THE ELECTION; AND AUTHORIZING THE CITY CLERK OR HER DULY AUTHORIZED AGENTS TO CARRY OUT THE NECESSARY PROCEDURES FOR THE ELECTION

C. RESOLUTION NO. 2014-121 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO MATERIALS SUBMITTED TO THE ELECTORATE AT A SPECIAL MUNICIPAL ELECTION TO BE HELD TUESDAY, NOVEMBER 4, 2014

Recommended Action: Council adopt the resolutions.

6. **14-0292** A. RESOLUTION NO. 2014-122 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA: WAIVING THE COMPETITIVE FORMAL BID REQUIREMENTS; APPROVING AN AGREEMENT BETWEEN THE CITY/HOUSING AUTHORITY AND COMPLIANCE SERVICES, LLC FOR AFFORDABLE HOUSING MONITORING SOFTWARE; AND AUTHORIZING THE CITY MANAGER/HOUSING AUTHORITY DIRECTOR OR HIS DESIGNEE TO EXECUTE THE INITIAL AGREEMENT AND THE PURCHASING AGENT TO EXECUTE THREE ONE-YEAR OPTIONS TO EXTEND THE AGREEMENT

B. RESOLUTION NO. 2014-004 OF THE CHULA VISTA HOUSING AUTHORITY: WAIVING THE COMPETITIVE FORMAL BID REQUIREMENTS; APPROVING AN AGREEMENT BETWEEN THE CITY/HOUSING AUTHORITY AND COMPLIANCE SERVICES, LLC FOR AFFORDABLE HOUSING MONITORING SOFTWARE; AND AUTHORIZING THE CITY MANAGER/HOUSING AUTHORITY DIRECTOR OR HIS DESIGNEE TO EXECUTE THE INITIAL AGREEMENT AND THE PURCHASING AGENT TO EXECUTE THREE ONE-YEAR OPTIONS TO EXTEND THE AGREEMENT

Recommended Action: Council adopt resolution A and Authority adopt resolution B.

7. **14-0308** RESOLUTION NO. 2014-123 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE MAYOR TO ENTER INTO A RESTATED AND AMENDED LAND OFFER AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND SSBT LCRE V, LLC; FOR CONVEYANCE OF 128.6 ACRES TO THE CITY FOR UNIVERSITY PARK AND INNOVATION DISTRICT DEVELOPMENT

Recommended Action: Council adopt the resolution.

8. **14-0287** RESOLUTION NO. 2014-124 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE CHULA VISTA YOUTH SPORTS COUNCIL FOR THE PROVISION OF ENHANCED PARKS MAINTENANCE SERVICES

Recommended Action: Council adopt the resolution.

9. **14-0363** RESOLUTION NO. 2014-125 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING A GRANT AWARD FROM CALRECYCLE FOR THE REGIONAL USED OIL COMPETITIVE GRANT PROGRAM OF \$916,800 AND APPROPRIATING SAID AMOUNT TO THE WASTE MANAGEMENT & RECYCLING FUND (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

- 10. 14-0376** RESOLUTION NO. 2014-126 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE MEMORANDUM OF UNDERSTANDING (MOU), DATED APRIL 16, 2014, AMONG THE SAN DIEGO BAY WATERSHED MANAGEMENT AREA PARTIES, AND AUTHORIZING THE MAYOR TO SIGN THE MOU ON BEHALF OF THE CITY

Recommended Action: Council adopt the resolution.

- 11. 14-0383** RESOLUTION NO. 2014-127 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING LANDSCAPE MAINTENANCE CONTRACTS BETWEEN THE CITY AND BLUE SKIES LANDSCAPE, INC., PINNACLE LANDSCAPE, AND RC'S LANDSCAPE FOR LANDSCAPE MAINTENANCE SERVICES IN FIVE COMMUNITY FACILITIES DISTRICTS AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE CONTRACTS

Recommended Action: Council adopt the resolution.

- 12. 14-0384** RESOLUTION NO. 2014-128 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE LEVY OF MAXIMUM SPECIAL TAXES FOR FISCAL YEAR 2014/2015 WITHIN COMMUNITY FACILITIES DISTRICTS 97-1, 97-2, 97-3, 98-1, 98-2, 98-3, 99-1, 99-2, 2000-1, 2001-1, 2001-2, 06-I, 07-I, 07-M, 08-I, 08-M, 09-M, 11-M, 12-I, 12-M, 13-I AND 13-M; AND DELEGATING TO THE CITY MANAGER, OR DESIGNEE, THE AUTHORITY TO PREPARE AND SUBMIT A CERTIFIED LIST OF ALL PARCELS SUBJECT TO THE SPECIAL TAX, INCLUDING THE AMOUNT OF THE TAX, TO THE COUNTY AUDITOR

Recommended Action: Council adopt the resolution.

Item 13 was removed from the Consent Calendar.

- 14. 14-0371** RESOLUTION NO. 2014-130 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE CONSERVATION SECTION'S FISCAL YEAR 2015 BUDGET TO APPROPRIATE \$12,000 IN SAN DIEGO GAS & ELECTRIC COOL PLANET INCENTIVES TO SUPPORT THIRD-PARTY VERIFICATION OF THE CITY'S 2012 GREENHOUSE GAS EMISSIONS INVENTORY AND TO APPROPRIATE \$1,118 IN COOL CALIFORNIA CHALLENGE PRIZE FUNDING TO SUPPORT COMMUNITY ENERGY EFFICIENCY SERVICES (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

- 15. 14-0395** RESOLUTION NO. 2014-131 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$75,000 FROM THE COUNTY OF SAN DIEGO CALIFORNIA IDENTIFICATION PROGRAM, ADDING ONE AUTOMATED FINGERPRINT TECHNICIAN TO THE AUTHORIZED STAFFING OF THE POLICE DEPARTMENT AND APPROPRIATING SAID FUNDS TO THE FISCAL YEAR 2014/2015 POLICE DEPARTMENT BUDGET (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

- 16. 14-0400** RESOLUTION NO. 2014-132 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$50,000 FROM THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL AND APPROPRIATING SAID FUNDS TO THE FISCAL YEAR 2014/2015 BUDGET OF THE POLICE GRANT FUND (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

Approval of the Consent Calendar

ACTION: A motion was made by Mayor Cox, seconded by Councilmember Bensoussan, 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, Ramirez, Salas and Cox

No: 0

Abstain: 0

ITEMS REMOVED FROM THE CONSENT CALENDAR

- 13. 14-0372** RESOLUTION NO. 2014-129 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA OF ITS INTENTION TO CONSIDER GRANTING A WASTE MANAGEMENT FRANCHISE RENEWAL TO ALLIED WASTE SERVICES, INC. (DBA REPUBLIC SERVICES OF CHULA VISTA) ON THE TERMS PRESENTED UNTIL JUNE 30, 2024 WITH TWO OPTIONS TO EXTEND UNTIL JUNE 30, 2031 AND JUNE 30, 2039 RESPECTIVELY, SUBJECT TO THE CITY'S DETERMINATION OF SATISFACTORY PERFORMANCE AND SETTING THE PUBLIC HEARING TO CONSIDER SAME FOR JULY 22, 2014

Councilmember Ramirez stated that he would not be in attendance at the Council meeting of July 22, 2014 when the public hearing would take place and that he supported the item.

ACTION: A motion was made by Councilmember Ramirez, seconded by Deputy Mayor Aguilar, that Resolution No. 2014-129 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, Ramirez, Salas and Cox

No: 0

Abstain: 0

PUBLIC COMMENTS

John Hess, representing the International Fire Fighters Association, thanked the City on behalf of the Fire Department for its response to the recent passing of Fire Prevention Engineer Sam Escalante.

PUBLIC HEARINGS

- 17. 14-0373** CONSIDERATION OF THE PROPOSED ASSESSMENT OF CERTAIN DELINQUENT SEWER SERVICE CHARGES AS RECORDED LIENS UPON THE RESPECTIVE OWNER-OCCUPIED PARCELS OF LAND AND PLACEMENT OF DELINQUENT CHARGES ON THE NEXT REGULAR TAX BILL FOR COLLECTION

RESOLUTION NO. 2014-133 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ASSESSING CERTAIN DELINQUENT SEWER SERVICE CHARGES AS RECORDED LIENS UPON THE RESPECTIVE OWNER-OCCUPIED PARCELS OF LAND AND APPROVING THE PLACEMENT OF DELINQUENT CHARGES ON THE NEXT REGULAR TAX BILL FOR COLLECTION

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

ACTION: A motion was made by Councilmember Ramirez, seconded by Deputy Mayor Aguilar, that Resolution No. 2014-133 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, Ramirez, Salas and Cox

No: 0

Abstain: 0

- 18. 14-0374** CONSIDERATION OF THE PROPOSED ASSESSMENT OF CERTAIN DELINQUENT SOLID WASTE SERVICE CHARGES AS RECORDED LIENS UPON THE RESPECTIVE PARCELS OF LAND AND PLACEMENT OF DELINQUENT CHARGES ON THE NEXT REGULAR TAX BILL FOR COLLECTION

RESOLUTION NO. 2014-134 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ASSESSING CERTAIN DELINQUENT SOLID WASTE SERVICE CHARGES AS RECORDED LIENS UPON THE RESPECTIVE PARCELS OF LAND AND APPROVING THE PLACEMENT OF DELINQUENT CHARGES ON THE NEXT REGULAR TAX BILL FOR COLLECTION

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

ACTION: A motion was made by Councilmember Ramirez, seconded by Councilmember Salas, that Resolution No. 2014-134 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, Ramirez, Salas and Cox

No: 0

Abstain: 0

19. 14-0152 CONSIDERATION OF ACCEPTING THE 2014 WASTEWATER MASTER PLAN UPDATE AND MODIFYING THE SEWER CAPACITY CHARGE AND WASTEWATER UNIT GENERATION RATES

A. RESOLUTION NO. 2014-135 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE 2014 WASTEWATER MASTER PLAN UPDATE

B. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING: CHULA VISTA MUNICIPAL CODE SECTION 13.14.090 (SEWER CAPACITY CHARGE); THE CITY'S MASTER FEE SCHEDULE (CHAPTER 12 - SEWER FEES); AND THE CITY'S SUBDIVISION MANUAL (SECTION 3-300 - SEWER DESIGN CRITERIA), TO MODIFY THE SEWER CAPACITY CHARGE AND THE WASTEWATER UNIT GENERATION RATES (FIRST READING)

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.

Director of Public Works and Assistant Director of Engineering Valle introduced Scott Humphrey, consultant, representing Infrastructure Engineering Corporation, who gave a presentation on the item. Mr. Humphrey responded to questions from the Council.

Mayor Cox opened the public hearing.

David Danciu, Chula Vista resident, expressed support for considering alternative investments of future additional revenue generated.

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

ACTION: A motion was made by Mayor Cox, seconded by Councilmember Salas, that Resolution No. 2014-135 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, Ramirez, Salas and Cox

No: 0

Abstain: 0

20. 14-0385 CONSIDERATION OF TESTIMONY FOR THE FISCAL YEAR 2014/2015 LEVY OF ASSESSMENTS AND COLLECTION AGAINST THOSE ASSESSMENTS FOR CERTAIN OPEN SPACE AND MAINTENANCE DISTRICTS

A. RESOLUTION NO. 2014-136 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS; AND COLLECTIBLES FOR CITY OPEN SPACE DISTRICTS 1 THROUGH 7, 9, 11, 14, 15, 17, 18, 20, 23, 24, 26, 31 AND 33, EASTLAKE MAINTENANCE DISTRICT NO. 1, AND BAY BOULEVARD MAINTENANCE DISTRICT

B. RESOLUTION NO. 2014-137 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE OPEN SPACE DISTRICT NO. 8

C. RESOLUTION NO. 2014-138 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE OPEN SPACE DISTRICT NO. 10 AND THE TOWN CENTRE MAINTENANCE DISTRICT

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

Mayor Cox stated that Deputy Mayor Aguilar and Councilmember Salas would be abstaining from voting on Items 20B and 20C, respectively, due to potential property-related conflicts of interest.

ACTION: A motion was made by Councilmember Ramirez, seconded by Deputy Mayor Aguilar, that Resolution No. 2014-136 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, Ramirez, Salas and Cox

No: 0

Abstain: 0

ACTION: A motion was made by Councilmember Ramirez, seconded by Councilmember Bensoussan, that Resolution No. 2014-137 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 4 - Bensoussan, Ramirez, Salas and Cox

No: 0

Abstain: 1 - Aguilar

ACTION: A motion was made by Councilmember Ramirez, seconded by Councilmember Bensoussan, that Resolution No. 2014-138 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, Ramirez and Cox

No: 0

Abstain: 1 - Salas

- 21. 14-0336** CONSIDERATION OF WAIVING IRREGULARITIES IN THE BID RECEIVED FOR THE "PAVEMENT MINOR REHABILITATION FY13/14 (RUBBERIZED PAVEMENT GRANT PROGRAM - CHIP SEAL)" PROJECT PER CITY CHARTER SECTION 1009

RESOLUTION NO. 2014-139 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS, DECLARING THE APPARENT LOW BIDDER, FRANK & SON PAVING, INC. TO BE NON-RESPONSIVE, WAIVING A MINOR DEFECT IN THE LOWEST RESPONSIVE BID RECEIVED, AWARDING THE CONTRACT FOR THE "PAVEMENT MINOR REHABILITATION FY13/14 (RUBBERIZED PAVEMENT GRANT PROGRAM - CHIP SEAL) (STL397)" PROJECT TO COPP CONTRACTING INCORPORATED IN THE AMOUNT OF \$1,812,572.00, REDUCING THE STL383 BUDGET BY \$434,098 AND APPROPRIATING THE EQUIVALENT AMOUNT TO STL397, WAIVING CITY COUNCIL POLICY 574-01 AND AUTHORIZING THE EXPENDITURE OF ALL AVAILABLE CONTINGENCY FUNDS NOT TO EXCEED \$271,885.80 (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 Cox opened the public hearing. There being no members of the public who wished to speak, Mayor Cox closed the public hearing.

ACTION: A motion was made by Mayor Cox, seconded by Councilmember Salas, that Resolution No. 2014-139 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, Ramirez, Salas and Cox

No: 0

Abstain: 0

Note

Mayor Cox recessed the meeting at 3:48 p.m. The Council reconvened at 4:00 p.m., with all members present.

22. 14-0272 CONSIDERATION OF AMENDING CHAPTER 9.13 OF THE CHULA VISTA MUNICIPAL CODE RELATED TO THE REGULATION OF SEXUALLY ORIENTED BUSINESSES

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 9.13 OF THE CHULA VISTA MUNICIPAL CODE REGULATING THE LICENSING AND OPERATIONAL STANDARDS FOR SEXUALLY ORIENTED BUSINESSES (FIRST READING)

Mayor Cox stated that Items 22 and 23 would be heard jointly.

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.

Deputy City Attorney Shirey stated that the presentation that would be presented to Council, as well as a document containing a site list and maps of the available sites for adult business use in the City had been distributed to the Council and would be on file in the Office of the City Clerk.

Deputy City Attorney Shirey introduced Deborah Fox, consultant, representing Meyers Nave, and Lloyd Zola, consultant, representing Metis Environmental Group.

Ms. Fox stated that Roger Diamond, attorney for Eye Candy, as well as the owners of Eye Candy had been notified that the item would be considered by Council at the meeting of July 8, 2014. She also stated that the following documents were provided to the Council and would be on file in the Office of the City Clerk: nine (9) binders containing reference materials and case studies that had been referenced in the proposed ordinance, as well as the results of Mr. Zola's report.

Ms. Fox stated Mr. Zola had done an extensive review of the sites and that she and Mr. Zola had toured the City.

Ms. Fox and Mr. Zola presented information on the item.

Mayor Cox opened the joint public hearing. There being no members of the public who wished to speak on Items 21 or 22, Mayor Cox closed the joint public hearing.

ACTION: A motion was made by Councilmember Ramirez, seconded by Mayor Cox, that the above ordinance be placed on first reading, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, Ramirez, Salas and Cox

No: 0

Abstain: 0

- 23. 14-0273** CONSIDERATION OF AMENDING TITLE 19 OF THE CHULA VISTA MUNICIPAL CODE RELATED TO LOCATIONAL AND ZONING PROVISIONS FOR REGULATION OF SEXUALLY ORIENTED BUSINESSES

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING TITLE 19 OF THE CHULA VISTA MUNICIPAL CODE REGULATING PLANNING AND ZONING (FIRST READING)

Item 23 was discussed jointly with Item 22.

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.

ACTION: A motion was made by Councilmember Ramirez, seconded by Mayor Cox, that the above ordinance be placed on first reading, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, Ramirez, Salas and Cox

No: 0

Abstain: 0

ACTION ITEMS

- 24. 14-0312** CONSIDERATION OF REJECTING BIDS FOR PHASE I - WILLOW STREET BRIDGE REPLACEMENT

RESOLUTION NO. 2014-140 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA REJECTING BIDS FOR THE "PHASE I - WILLOW STREET BRIDGE REPLACEMENT (WATER LINE RELOCATION), IN THE CITY OF CHULA VISTA, CALIFORNIA [CIP No. STL-384), FEDERAL PROJECT NO. BHLS-5203(016)]" PROJECT

ACTION: A motion was made by Councilmember Ramirez, seconded by Councilmember Salas, that Resolution No. 2014-140 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, Ramirez, Salas and Cox

No: 0

Abstain: 0

- 25. 14-0337** CONSIDERATION OF APPROVING THE CITY OPERATIONS SUSTAINABILITY PLAN

RESOLUTION NO. 2014-141 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE CITY OPERATIONS SUSTAINABILITY PLAN

Environmental Services Program Manager France and Environmental Resource Manager Reed gave a presentation on the item.

ACTION: A motion was made by Councilmember Bensoussan, seconded by Councilmember Salas, that Resolution No. 2014-141 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, Ramirez, Salas and Cox

No: 0

Abstain: 0

26. 14-0350 MARKETING AND COMMUNICATIONS PROGRAM UPDATE

Marketing and Communications Manager Steinberger presented an update on the marketing and communications program.

Councilmember Ramirez spoke in support of sharing news such as the challenges the City experiences with infrastructure.

Councilmember Bensoussan spoke in support of replacing the sectional map of the City on the new website with the Urban Orchard tree graphic.

Councilmember Salas spoke in support of considering a high-profile 10K run on the bayfront as well as holding more neighborhood events such as the pancake breakfast events at the fire stations.

Deputy Mayor Aguilar requested additional information about the compatibility of the website with Apple products. She suggested investigating adding additional domain names for easier access to certain services and programs. She also requested that national holidays be better recognized on the City's website and spoke in support of additional proactive marketing to increase the perception of the City.

Mayor Cox spoke in support of focusing on promoting the events that occur in the City, such as Jessica Sanchez of American Idol and the Parkview Little League.

CITY MANAGER'S REPORTS

Principal Planner Donaghe presented an update on the University Park and Innovation District and the land acquisition.

MAYOR'S REPORTS

- 27. 14-0404** Consideration of ratification of appointments and reappointments to the following boards and commissions:

NEW APPOINTMENTS

Victor Esquer	Board of Ethics
Marivic (Vicki) Lisama	Housing Advisory Commission
Veronica Gerace	International Friendship Commission
David Marshall	Safety Commission

REAPPOINTMENTS TO FIRST TERM (initial term less than 2 years)

Michael De La Rosa	Charter Review Commission
Christine Moore	Cultural Arts Commission
Jason Paguio	Cultural Arts Commission
Lillian Uy	Housing Advisory Commission

Ritchie Adair	Safety Commission
Gabe Gutierrez	Safety Commission

REAPPOINTMENTS TO SECOND TERM

London Meservy	Board of Appeals & Advisors
Charles Sanfilippo	Board of Appeals & Advisors
Elva Mellor	Board of Library Trustees
Brian Young	Board of Library Trustees
Carra Rhamy	Charter Review Commission
Maggie Curiel	Commission on Aging
Gloria Escalera	Commission on Aging
Al Gore	Cultural Arts Commission
Armida Torres	Growth Management Oversight Comm.
Kevin O'Neill	Historic Preservation Commission
Steven Schoenherr	Historic Preservation Commission
Eugene Yee	International Friendship Commission
Rudy Gonzalez	Mobilehome Rent Review Commission
Donald Johnson	Mobilehome Rent Review Commission
Jan Buddingh	Parks and Recreation Commission
Robert Coleman	Resource Conservation Commission
Ellen Kappes	Resource Conservation Commission
Nora Vargas	Resource Conservation Commission

REAPPOINTMENTS TO YOUTH ACTION COUNCIL

Jessica Castro
 Jojo Collazo
 Isabella De Murguia
 Sierra Green
 Julianne (Juli) Harris
 Najib Kero
 Carla Martinez-Berry
 Matthew Modelo
 McKenzie Richardson
 Sarina Vega

ACTION: A motion was made by Mayor Cox, seconded by Councilmember Bensoussan, that the above appointments and reappointments be ratified. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, Ramirez, Salas and Cox

No: 0

Abstain: 0

- 28. 14-0412** Consideration of reappointment of Ann Moore to the San Diego Board of Port Commissioners for the upcoming term beginning January 2015

Bill Hall, Chula Vista resident, representing the Chula Vista Chamber of Commerce, spoke in support of the reappointment of Ann Moore to the San Diego Board of Port Commissioners.

ACTION: A motion was made by Deputy Mayor Aguilar, seconded by Councilmember Bensoussan, that Ann Moore be reappointed to the San Diego Board of Port Commissioners for the upcoming term beginning January 2015. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, Ramirez, Salas and Cox

No: 0

Abstain: 0

COUNCILMEMBERS' COMMENTS

Deputy Mayor Aguilar congratulated City Manager Halbert on his new position.

Councilmember Bensoussan announced the upcoming Harbor Fest event on August 16, 2014.

Mayor Cox paid tribute to Fire Prevention Engineer Sam Escalante.

Mayor Cox announced that the Council would convene in closed session to discuss the items listed below.

Mayor Cox recessed the meeting at 6:22 p.m. The Council reconvened in Closed Session at 6:35 p.m., with all members present.

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.

29. 14-0423 CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (a)

City of El Centro, et al. v. David Lanier, et al., San Diego Superior Court, Case No. 37-2014-00003824-CU-WM-CTL.

ACTION: No reportable action.

30. 14-0425 CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6

Agency designated representatives: Gary Halbert, Kelley Bacon, Maria Kachadoorian, Simon Silva, Dave Hanneman, Jim Garcia and Gary Ficacci.

Employee Organizations: CVEA, IAFF, POA, Mid-Managers/Professionals and WCE

ACTION: No reportable action.

ADJOURNMENT

At 7:04 p.m., Mayor Cox adjourned the meeting to the Regular City Council Meeting on July 22, 2014, at 2:00 p.m., in the Council Chambers.

Kerry K. Bigelow, Assistant City Clerk