

City of Chula Vista

Meeting Minutes - Draft

Tuesday, April 15, 2014

2:00 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 2:01 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

Deputy Mayor Aguilar arrived at 2:02 pm. and Councilmember Salas arrived at 2:03 p.m.

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

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Family Protection Unit Secretary Koeppel led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

- A. 14-0223** PRESENTATION BY POLICE CHIEF BEJARANO, OF EMPLOYEE OF THE MONTH KATHY KOEPEL, FAMILY PROTECTION UNIT SECRETARY

Chief Bejarano introduced employee of the month, Secretary Koeppel. Mayor Cox read the proclamation and Deputy Mayor Aguilar presented it to Ms. Koeppel.

- B. 14-0159** PRESENTATION BY THE RESOURCE CONSERVATION COMMISSION OF THE 2014 CLEAN CHAMPION AWARD WINNERS: MAAC PROJECT, HARRY ORGOVAN, GRACIA Y PAZ CHURCH, JULIAN ESTRADA AND JOSE DORADO

Resource Conservation Commission Chair Coleman, and Commissioners Kappes and Valen presented Clean Champion Awards to Sandra Cordova, representing the MAAC Project; Harry Orgovan, representing Chula Vista Kayak; Pastor Jorge Garcia, representing Gracia y Paz Church; Julian Estrada; and Project Coordinator Dorado.

- C. 14-0214** PRESENTATION OF A PROCLAMATION TO CHULA VISTA GARDEN CLUB PRESIDENT SANDY DUNCAN PROCLAIMING FRIDAY, APRIL 25, 2014 AS ARBOR DAY IN THE CITY OF CHULA VISTA

Sandy Duncan, representing the Chula Vista Garden Club, spoke regarding the Garden Club and Arbor Day. Mayor Cox read the proclamation and Councilmember Bensoussan presented it to Ms. Duncan.

- D. 14-0218** RECOGNITION BY LANDSCAPE PLANNER PATRICIA FERMAN OF THE SAN DIEGO AMERICAN PLANNING ASSOCIATION'S 2014 URBAN DESIGN AWARD FOR THIRD AVENUE STREETScape PHASE I

Landscape Planner Ferman presented information on the Urban Design Award provided by the San Diego American Planning Association for the Third Avenue Streetscape plan and provided before and after photos of the improvements to Third Avenue.

Suchitra Mukherjee, representing SANDAG, and Luanne Hulsizer, representing the Third Avenue Village Association, congratulated the City and staff on the award.

- E. 14-0222** PRESENTATION OF A PROCLAMATION TO CITY ATTORNEY GLEN GOOGINS PROCLAIMING THURSDAY, MAY 1, 2014 AS LAW DAY IN THE CITY OF CHULA VISTA

Mayor Cox read the proclamation and Councilmember Salas presented it to City Attorney Googins. City Attorney Googins provided information about Law Day and encouraged residents to register and vote in the upcoming election.

- F. 14-0229** PRESENTATION OF A PROCLAMATION TO CHULA VISTA POLICE DISPATCHER DAVID WILSON PROCLAIMING APRIL 13 THROUGH APRIL 19, 2014 AS NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK

Chief Bejarano introduced Police Dispatcher Wilson. Mayor Cox read the proclamation and Councilmember Ramirez presented it to Dispatcher Wilson.

CONSENT CALENDAR (Items 1 - 6)

Item 5 was removed from the Consent Calendar at the request of Councilmember Ramirez.

- 1. 14-0216** APPROVAL OF MINUTES OF January 28, and February 11, 2014.

Recommended Action: Council approve the minutes.

- 2. 14-0217** WRITTEN COMMUNICATIONS

Letter of Resignation from Zaneta Encarnacion, Growth Management Oversight Commission.

Recommended Action: Council accept the resignation.

- 3. 14-0128** HOUSING ELEMENT 2013 ANNUAL PROGRESS REPORT

Recommended Action: Council accept the report.

4. 14-0201 RESOLUTION NO. 2014-060 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE FORMAL BID REQUIREMENT AND AUTHORIZING THE POLICE AND FIRE DEPARTMENTS TO PURCHASE UNIFORMS FROM ACE UNIFORMS

Recommended Action: Council adopt the resolution.

Item 5 was removed from the Consent Calendar.

6. 14-0220 RESOLUTION NO. 2014-062 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A LEGAL SERVICES AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE THOMAS LAW GROUP FOR ATTORNEY SERVICES RELATED TO THE PREPARATION OF LAND USE IMPLEMENTATION AND ENVIRONMENTAL DOCUMENTS FOR THE UNIVERSITY PARK AND INNOVATION DISTRICT

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

5. 14-0204 RESOLUTION NO. 2014-061 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT WITH THE COUNTY OF SAN DIEGO TO LEASE A PORTION OF CITY OWNED LAND LOCATED AT ROHR PARK FOR THE CONSTRUCTION AND OPERATION OF A PARKING LOT TO SUPPORT OPERATIONS OF THE COUNTY OWNED PROVENCE HOUSE AS A REGIONAL EVENT CENTER AND APPROPRIATING \$30,000 TO THE NON DEPARTMENTAL BUDGET TO IMPROVE THE CITY'S RANGER STATION IN ROHR PARK (4/5 VOTE REQUIRED)

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

- Supervisor Greg Cox, representing the County of San Diego
- Don Hamilton, representing the Bonita Optimists Club
- Diane Carter, representing the Bonita Valley Horsemen
- Sherry Pennington, Chula Vista resident
- Darryl Hurn, Chula Vista resident
- Duane Junker, representing the Bonita Optimists Club
- Mark Cucachek, Bonita resident
- Matt Bowen, representing the County of San Diego

ACTION: A motion was made by Councilmember Ramirez, seconded by Deputy Mayor Aguilar, to adopt Resolution No. 2014-061, 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

Danny Propp, Chula Vista resident, representing Greatest Save, and provided information to the Council regarding the organization, which is focused on the prevention of abduction of children.

David Danciu, Chula Vista resident, representing Crossroads II, spoke regarding the organization and its mission.

Item 7 was discussed following Item 8.

ACTION ITEMS

8. 14-0164 PRESENTATION OF SURVEY RESULTS FROM CITY OF CHULA VISTA AWARENESS AND PERCEPTIONS STUDY

Item 8 was taken out of order.

City Manager Sandoval, Marketing and Communications Manager Steinberger, and Shannon Knock, consultant, representing Luth Research, presented the results of the Chula Vista Awareness & Perceptions Study.

In response to questions from Councilmember Salas, Marketing and Communications Manager Steinberger provided information regarding input received from individuals in south San Diego.

In response to questions from Councilmember Salas, Director of Economic Development Meacham stated that staff anticipated presenting information to the Council in fall 2014 regarding the perceptions of businesses.

Councilmember Salas spoke in support of allowing quality nighttime events to attract individuals to the city.

Councilmember Bensoussan spoke in support of further promotion of the existing Chula Vista bayfront, in addition to the future development planned for the bayfront. She also spoke regarding promoting the Bayshore Bikeway and other outdoor assets in the city.

Councilmember Ramirez spoke in support of collaborating with Mexico on messaging and also in support of promoting Chula Vista's outdoor opportunities.

Deputy Mayor Aguilar spoke in support of immediately addressing the negative perception of the safety of the City.

Mayor Cox encouraged staff to continue gathering information to better inform work in addressing perceptions of the City.

Mayor Cox recessed the meeting at 4:19 p.m. The Council reconvened at 4:32 p.m., with all members present.

PUBLIC HEARINGS (TIME CERTAIN - 4:00 PM)

7. **14-0118** CONSIDERATION OF 1) A PRECISE PLAN (PCM-13-22) TO ALLOW A MAXIMUM HEIGHT OF 120 FEET (45 FEET MAXIMUM CURRENTLY ALLOWED) TO ACCOMMODATE A PROPOSED PARKING STRUCTURE AT THE SHARP CHULA VISTA MEDICAL CENTER CAMPUS; AND 2) A DESIGN REVIEW PERMIT (DRC13-31) TO CONSTRUCT THE PARKING STRUCTURE (This item has been continued from the April 8, 2014 meeting.)

A. ORDINANCE OF THE CITY OF CHULA VISTA APPROVING A PRECISE PLAN (PCM-13-22) TO ALLOW A HEIGHT OF 120 FEET (45 MAXIMUM CURRENTLY ALLOWED) TO ACCOMMODATE A PROPOSED PARKING STRUCTURE TO BE LOCATED WITHIN THE SHARP CHULA VISTA MEDICAL CENTER CAMPUS LOCATED AT 751 MEDICAL CENTER COURT (FIRST READING)

B. RESOLUTION NO. 2014-063 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA GRANTING A DESIGN REVIEW PERMIT (DRC13-31) FOR A PROPOSED PARKING STRUCTURE ON A SITE LOCATED AT 751 MEDICAL CENTER COURT

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.

Item 7 was noticed as time certain for 4:00 p.m. Discussion of the item began at 4:32 p.m.

Associate Planner Steichen presented information on the proposed parking structure. He provided information on the CEQA exemption that applied to the project.

Mayor Cox opened the public hearing.

Sylvia McKinney, Chula Vista resident, expressed concern regarding the impact of construction on her household and requested additional information regarding the timeline and components of the proposed construction.

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

- Lisa Cohen, representing the Chula Vista Chamber of Commerce*
- Dr. Ben Hourani, Chula Vista resident, representing Sharp Chula Vista Medical Center*

Peter Watry, Chula Vista resident, representing Crossroads II, requested information regarding the shadow study performed for the project and requested project alternatives.

The following members of the public expressed concern regarding possible impacts to the nearby residents and requested additional studies, including an environmental review, be done on the project:

- David Lipps, Chula Vista resident, representing the Bella Sol Homeowners Association*
- Bill Miller, Chula Vista resident*

Bill Fischbeck, La Mesa Resident, representing the Bella Sol Homeowners Association, expressed concern regarding the CEQA exception cited and spoke in support of performing additional environmental studies.

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

Pat Nemeth, representing Sharp Chula Vista Medical Center, project applicant, provided additional information regarding the proposed project, studies performed in the development of the project, and discussed the anticipated improvements as a result of the project.

Associate Planner Steichen and Principal Planner Power responded to questions and comments.

In response to questions from Councilmember Salas, Ms. Nemeth, representing Sharp Chula Vista Medical Center, project applicant, provided additional information regarding questions raised by Ms. McKinney.

Councilmember Salas requested that the Sharp Chula Vista Medical Center engage in ongoing communication with nearby residents.

Chris Veum, Architect and President of AVRP Studios, representing Sharp Chula Vista Medical Center, spoke regarding the shadow study performed on the project.

Ms. Nemeth and Ed Anderson, representing Sharp Chula Vista Medical Center, spoke regarding permanent lighting for the proposed project and the temporary lighting used in a similar project. Ms. Nemeth also spoke regarding parking planned for the project.

Mr. Fischbeck submitted written documentation regarding the CEQA exemption.

Pablo Valez, CEO, Sharp Chula Vista Medical Center, responded to questions from Deputy Mayor Aguilar regarding parking.

Greg Konar, Principal Planner at Atkins North America, representing Sharp Chula Vista Medical Center, responded to questions from Deputy Mayor Aguilar regarding a concern expressed to her by resident Steve Ray regarding the potential obstruction of views from his property.

ACTION: A motion was made by Councilmember Ramirez, seconded by Councilmember Bensoussan, to place the above ordinance on first reading and adopt Resolution No. 2014-063, headings read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 0

CITY MANAGER'S REPORTS

There was none.

MAYOR’S REPORTS

There was none.

COUNCILMEMBERS’ COMMENTS

Deputy Mayor Aguilar announced her upcoming open office hours on the topic of district elections and announced that the deadline to apply to serve on the Districting Commission was April 17, 2014.

At the request of Councilmember Salas, there was consensus of the Council to support a proposed community dialogue on April 29, 2014 by Councilmembers Aguilar and Salas in coordination with local water agencies on the topic of water conservation and available funds for drought-tolerant gardens.

Councilmember Ramirez expressed support for continued staff efforts focused on economic development.

Councilmember Bensoussan announced the 14th annual Day of the Child event on April 19, 2014 and the annual Immigration Forum and Health Fair May 3, 2014. She also stated that donations were being collected for the future Eucalyptus dog park on the Animal Care Facility’s website .

City Attorney Googins stated that the last day to register to vote in the June 2014 election was May 19, 2014.

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

Mayor Cox recessed the meeting at 6:33 p.m. The Council reconvened in Closed Session at 7:47 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.

9. 14-0221 PUBLIC EMPLOYMENT APPOINTMENT

PUBLIC EMPLOYEE APPOINTMENT PURSUANT TO GOVERNMENT CODE SECTION 54957(b)

Title: City Manager

ACTION: No reportable action.

- 10. 14-0228** CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (a)

Orange Citizens for Parks and Recreation, et al. v. Superior Court of Orange County, Court of Appeal Fourth District, Case No. G047013

Consideration of joining Amicus briefing.

ACTION: City Council voted 4-1 (Aguilar opposed without further information) to authorize City to sign onto an Amicus brief.

ADJOURNMENT

At 10:31 p.m., Mayor Cox adjourned the meeting to the Regular City Council Meeting on May 6, 2014, at 2:00 p.m., in the Council Chambers.

Kerry K. Bigelow, Assistant City Clerk