

City of Chula Vista

Meeting Minutes - Draft

Tuesday, April 8, 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 2:03 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 Sandoval, City Attorney Googins, City Clerk Norris, and Assistant City Clerk Bigelow

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Sergeant Cervantes led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

- A. 14-0197** OATHS OF OFFICE
Kirin Macapugay and Emmanuel Soto, Cultural Arts Commission

City Clerk Norris administered the oaths of office to Commissioners Macapugay and Soto, and Deputy Mayor Aguilar presented them with certificates of appointment.

- B. 14-0176** PRESENTATION OF A PROCLAMATION TO CHULA VISTA POLICE DEPARTMENT SERGEANT JUAN CERVANTES COMMENDING HIM ON 28 YEARS OF SERVICE TO THE CITY OF CHULA VISTA

Captain Ficacci introduced Sergeant Cervantes. Mayor Cox read the proclamation and Councilmember Bensoussan presented it to Sergeant Cervantes.

- C. 14-0170** PRESENTATION OF A PROCLAMATION TO CSA SAN DIEGO COUNTY COMMUNITY OUTREACH SPECIALIST ROGELIO ESPINOZA, EXECUTIVE DIRECTOR ESTELA DE LOS RIOS, CITY HOUSING STAFF ANGELICA DAVIS, JOSE DORADO, LEILANI HINES AND STACEY KURZ PROCLAIMING APRIL 2014 AS FAIR HOUSING MONTH

Rogelio Espinoza and Mark Orable, representing CSA San Diego County, thanked the City for its collaborative efforts. Mayor Cox read the proclamation and Councilmember Ramirez presented it to CSA San Diego County and City Housing staff.

- D. 14-0160** PRESENTATION OF A PROCLAMATION TO THE CITY'S CLEAN TEAM MEMBERS PROCLAIMING APRIL AS EARTH MONTH IN CHULA VISTA

Environmental Resource Manager Reed introduced the City's Clean Team. Mayor Cox read the proclamation and Councilmember Salas presented it to the Clean Team. Environmental Services Program Manager France provided information about local upcoming Earth Month events.

- E. 14-0133** PRESENTATION BY CHULA VISTA FIREFIGHTERS FOUNDATION PRESIDENT JOSH SANDERS OF AN OVERVIEW OF THE EFFORTS OF THE CHULA VISTA FIREFIGHTERS FOUNDATION

Chief Hanneman introduced Chula Vista Firefighters Foundation President, Josh Sanders. Foundation President Sanders presented an overview of the efforts of the Foundation over the past 10 years.

- F. 14-0156** PRESENTATION BY THE FRIENDS OF THE CHULA VISTA LIBRARY OF A \$45,000 DONATION TO CHULA VISTA PUBLIC LIBRARY FOR PRINT AND DIGITAL BOOKS AND OTHER RESOURCES

Shauna Stokes, representing the Friends of the Chula Vista Library, introduced other members of the Friends board. On behalf of the Friends of the Chula Vista Library, Ms. Stokes presented a check for \$45,000 to the Chula Vista Public Library for books and other resources.

- G. 14-0155** PRESENTATION OF A PROCLAMATION TO FRIENDS OF CHULA VISTA LIBRARY EXECUTIVE BOARD PRESIDENT SHAUNA STOKES PROCLAIMING APRIL 13 THROUGH APRIL 19, 2014 AS NATIONAL LIBRARY WEEK

Mayor Cox read the proclamation and Councilmember Bensoussan presented it to Library Director Waznis and Friends of the Chula Vista Library Executive Board President Stokes.

CONSENT CALENDAR (Items 1 - 11)

Items 5 and 8 were removed from the Consent Calendar at the request of Councilmember Ramirez.

- 1. 14-0183** APPROVAL OF MINUTES OF January 9, and January 14, 2014.

Recommended Action: Council approve the minutes.

- 2. 14-0185** WRITTEN COMMUNICATIONS
A. Letter of resignation from Maribel Larios, Charter Review Commission.
B. Letter of resignation from Anthony San Nicolas, Commission on Aging.

Recommended Action: Council accept the resignations.

3. **14-0177** ORDINANCE NO. 3306 OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.25.110(C) RELATED TO EXCUSED ABSENCES FOR MEMBERS OF CITY BOARDS AND COMMISSIONS DUE TO UNEXPECTED, EMERGENCY SITUATIONS (SECOND READING AND ADOPTION)

Recommended Action: Council adopt the ordinance.

4. **14-0178** ORDINANCE NO. 3307 OF THE CITY OF CHULA VISTA ESTABLISHING A 45 MPH SPEED LIMIT ON SAN MIGUEL RANCH ROAD BETWEEN PROCTOR VALLEY ROAD AND SR-125 AND REVISING SCHEDULE X OF THE REGISTER MAINTAINED IN THE OFFICE OF THE CITY ENGINEER TO INCLUDE THIS ESTABLISHED SPEED LIMIT (SECOND READING AND ADOPTION)

Recommended Action: Council adopt the ordinance.

Item 5 was removed from the Consent Calendar.

6. **14-0117** RESOLUTION NO. 2014-053 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2013/2014 SALT CREEK SEWER BASIN DEVELOPMENT IMPACT FEE (DIF) BUDGET BY APPROPRIATING \$50,000 TO THE SUPPLIES AND SERVICES CATEGORY FROM THE AVAILABLE FUND BALANCE (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

7. **14-0132** RESOLUTION NO. 2014-054 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND PROFESSIONAL PIPE SERVICES FOR PROVIDING SEWER MANHOLE INSPECTION AND EVALUATION SERVICES IN THE AMOUNT OF \$300,000, WAIVING CITY COUNCIL POLICY 574-01 AND AUTHORIZING THE EXPENDITURE OF ALL AVAILABLE CONTINGENCY FUNDS IN AN AMOUNT NOT TO EXCEED \$80,000

Recommended Action: Council adopt the resolution.

Item 8 was removed from the Consent Calendar.

9. **14-0154** RESOLUTION NO. 2014-056 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AWARDING A PURCHASE ORDER TO SAN DIEGO POLICE EQUIPMENT COMPANY IN THE AMOUNT OF \$87,168 FOR ARMOR EXPRESS RAZOR BODY ARMOR IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE CITY OF CHULA VISTA BID B03-13/14

Recommended Action: Council adopt the resolution.

10. **14-0166** RESOLUTION NO. 2014-057 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT WITH THE ACCOUNTING FIRM OF LANCE, SOLL AND LUNGHARD, LLP TO PROVIDE AUDITING SERVICES AND AUTHORIZING THE CITY MANAGER TO EXERCISE TWO ONE-YEAR OPTIONS TO EXTEND THE AGREEMENT

Recommended Action: Council adopt the resolution.

11. **14-0167** RESOLUTION NO. 2014-058 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING RESOLUTION 2014-007 TO REMOVE THE CITY ATTORNEY POSITION FROM THE JUNE 3, 2014 ELECTION

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. **14-0104** RESOLUTION NO. 2014-052 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 AND AWARDING CONTRACT FOR THE "CITY PARKING LOT REHABILITATION (OP212)" PROJECT TO RAMONA PAVING AND CONSTRUCTION CORPORATION IN THE AMOUNT OF \$180,180.50, WAIVING CITY COUNCIL POLICY 574-01 AND AUTHORIZING THE EXPENDITURE OF ALL AVAILABLE CONTINGENCY FUNDS NOT TO EXCEED \$27,027.25

Councilmember Ramirez spoke in support of reconsidering awarding the contract to Frank & Son Paving, Inc. upon confirmation that the company met the qualifications for the contract.

Deputy City Attorney Miller provided additional information about the qualifications for the contract and other requirements for awarding contracts.

City Attorney Googins stated that although Councilmember Salas's property was identified as being within 500 feet of the subject property, further analysis by staff revealed that she qualified for a commonly used exception for improvements to existing infrastructure.

In response to questions from Councilmember Aguilar, City Attorney Googins stated that staff had been investigating options for giving preference to local companies when awarding contracts and would provide the Council with the status at an upcoming meeting.

ACTION: A motion was made by Mayor Cox, seconded by Councilmember Bensoussan, to adopt Resolution No. 2014-052, heading read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 0

8. **14-0151** RESOLUTION NO. 2014-055 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE FORMAL BIDDING PROCESS, APPROVING A TWO-PARTY AGREEMENT BETWEEN WILLIAM HEZMALHALCH ARCHITECTS, INC. (CONSULTANT), AND THE CITY OF CHULA VISTA, FOR CONSULTING SERVICES RELATED TO THE PREPARATION OF THE UNIVERSITY PARK & INNOVATION DISTRICT (UPID) SECTIONAL PLANNING AREA (SPA) PLAN, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT

City Manager Sandoval and Principal Planner Donaghe provided additional information about the item.

ACTION: A motion was made by Councilmember Bensoussan, seconded by Councilmember Salas, to adopt Resolution No. 2014-055, heading read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 0

At the request of Councilmember Ramirez, there was consensus of the Council to request the City Manager provide the Council with additional information relating to the business plan and financial feasibility for the future university site.

PUBLIC COMMENTS

David Danciu, Chula Vista resident, spoke in support of easier access to online City Council agenda packets.

PUBLIC HEARINGS

12. 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.

Mayor Cox opened the public hearing and continued the hearing to the next City Council meeting on April 15, 2014 at 2:00 p.m.

ACTION ITEMS

- 13. 14-0115** RESOLUTION NO. 2014-059 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE CHULA VISTA PUBLIC LIBRARY STRATEGIC VISION PLAN AND ACCOMPANYING LIBRARY STRATEGIC FACILITIES PLAN (4/5 VOTE REQUIRED)

Director of Library Waznis and David Schnee, consultant, representing Group 4, presented information on the Library Strategic Plan Vision and Strategic Facilities Plan.

ACTION: A motion was made by Councilmember Bensoussan, seconded by Deputy Mayor Aguilar, to adopt Resolution No. 2014-059, heading read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 0

Mayor Cox recessed the meeting at 4:39 p.m. The Council reconvened at 4:52 p.m., with all members present.

- 14. 14-0158** PRESENTATION BY LANDSCAPE PLANNER PATRICIA FERMAN REGARDING THE MAIN STREET MASTER PLAN UPDATE

Landscape Planner Ferman and Principal Civil Engineer Rivera presented the Main Street Master Plan update.

Ron Hiding, Chula Vista resident, expressed concern regarding pedestrian and bicyclist safety on Main Street. He also spoke in support of pursuing plans to address the areas immediately adjacent to I-805 and I-5, currently in the jurisdiction of Caltrans.

John Taylor, consultant, representing KTU+A, provided additional information about the plan.

CITY MANAGER'S REPORTS

City Manager Sandoval announced that the staff-designed Third Avenue Streetscape Plan received an urban design award from the American Planning Association.

He also announced the infrastructure workshop on April 10, 2014.

MAYOR'S REPORTS

City Clerk Norris provided information on the methods to view the City Council Agenda and related information.

Mayor Cox announced the following upcoming events: free swim lessons on April 12, 2014 at Parkway Gym, and the Village Street Faire on April 15, 2014.

Mayor Cox announced the passing of Harriet Acton, former Safety Commissioner.

COUNCILMEMBERS' COMMENTS

Deputy Mayor Aguilar commended the City Manager's office on the early planning of infrastructure needs.

Councilmember Ramirez spoke in support of special considerations for local businesses in awarding contracts.

Councilmember Bensoussan announced the following events: TAVA Street Faire and South Bay Artists Association art show on April 15, 2014, and the third annual Immigration Forum on May 6, 2014. She reported on the recent Dog Day in the Park fundraiser for a future dog park in Eucalyptus Park, and thanked the event's supporters. She stated approximately \$6,000 had been raised to date.

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

Mayor Cox recessed the meeting at 5:52 p.m. The Council reconvened in Closed Session at 6:01 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.

15. 14-0208 PUBLIC EMPLOYMENT APPOINTMENT

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

Title: CITY MANAGER

There was no reportable action for Item 15.

ADJOURNMENT

At 7:37 p.m., Mayor Cox adjourned the meeting to the City Council Workshop on April 10, 2014, at 4:00 p.m., in the Council Chambers.

Kerry K. Bigelow, Assistant City Clerk