

# City of Chula Vista

## Meeting Minutes - Final

---

Tuesday, May 20, 2014

2:00 PM

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

---

### SPECIAL MEETINGS OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY AND THE HOUSING AUTHORITY MEETING JOINTLY WITH THE CITY COUNCIL OF THE CITY OF CHULA VISTA

#### CALL TO ORDER

*Special Meetings of the Successor Agency to the Redevelopment Agency and the Housing Authority meeting jointly with the City Council of the City of Chula Vista were 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

*Deputy Mayor Aguilar arrived at 2:05 p.m. Councilmember Ramirez arrived at 2:09 p.m. Deputy Mayor Aguilar left at 6:45 p.m.*

*Also Present: City Manager Sandoval, 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

*Principal Civil Engineer Rivera led the Pledge of Allegiance.*

#### SPECIAL ORDERS OF THE DAY

- A. [14-0302](#) PRESENTATION BY MARKETING AND COMMUNICATIONS MANAGER ANNE STEINBERGER ANNOUNCING THE LEAGUE OF AMERICAN BICYCLISTS' DESIGNATION OF CHULA VISTA AS A BICYCLE FRIENDLY COMMUNITY, BRONZE LEVEL

*Principal Civil Engineer Rivera and Conservation Intern Ayala announced that the National League of American Bicyclists designated Chula Vista as a bronze-level Bicycle Friendly Community and provided information regarding the designation.*

**CONSENT CALENDAR (Items 1 - 7)**

*Items 3 and 6 were removed from the Consent Calendar by Mayor Cox and Councilmember Salas, respectively.*

**1. [14-0303](#) WRITTEN COMMUNICATIONS**

Letter of resignation from Sandra Villegas-Zuniga, Civil Service Commission, effective December 1, 2014.

**Recommended Action: Council accept the resignation effective December 1, 2014.**

**2. [14-0211](#) RESOLUTION NO. 2014-074 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE 2014 GMOC ANNUAL REPORT, AND DIRECTING THE CITY MANAGER TO UNDERTAKE ACTIONS NECESSARY TO IMPLEMENT REPORT RECOMMENDATIONS AS PRESENTED IN THE STAFF RESPONSES AND PROPOSED IMPLEMENTING ACTIONS SUMMARY**

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

*Item 3 was removed from the Consent Calendar.*

**4. [14-0249](#) RESOLUTION NO. 2014-075 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING A CONTRACT FOR SERVICES TO WINBOURNE CONSULTING, LLC TO PROVIDE PROJECT MANAGEMENT SERVICES**

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

**5. [14-0241](#) RESOLUTION NO. 2014-076 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING CERTAIN ADDITIONAL SERVICES IN ACCORDANCE WITH ARTICLE I OF THE EXISTING AGREEMENT DATED NOVEMBER 9, 2010, APPROVED IN ACCORDANCE WITH COUNCIL RESOLUTION NO. 2010-263, BETWEEN THE CITY OF CHULA VISTA AND RICK ENGINEERING COMPANY IN THE AMOUNT OF \$121,000 FOR PREPARING AND PERMITTING THE ENVIRONMENTAL MITIGATION FOR BONITA CANYON EMERGENCY REPAIR PROJECT (DR189) (This item was continued from the May 13, 2014 meeting.)**

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

*Item 6 was removed from the Consent Calendar.*

7. [14-0278](#) QUARTERLY FINANCIAL REPORT FOR THE QUARTER ENDING MARCH 31, 2014 AND CONSIDERATION OF AMENDMENTS TO THE FISCAL YEAR 2013/2014 BUDGET

A. RESOLUTION NO. 2014-078 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING VARIOUS AMENDMENTS TO THE FISCAL YEAR 2013/2014 BUDGET TO ADJUST FOR VARIANCES AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

B. RESOLUTION NO. 2014-005 OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA AMENDING THE REDEVELOPMENT OBLIGATION RETIREMENT FUND BY TRANSFERRING \$45,660 FROM THE PERSONNEL SERVICES CATEGORY TO THE OTHER EXPENSES CATEGORY (4/5 VOTE REQUIRED)

**Recommended Action:** Council/Agency accept the report. Council adopt resolution A and Agency adopt resolution B.

### 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

*Item 6 was taken out of order. Item 3 was heard following Item 6.*

6. [14-0225](#) RESOLUTION NO. 2014-077 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE PERFORMING AND VISUAL ARTS GRANT TASK FORCE'S SELECTION OF THE FISCAL YEAR 2014 PERFORMING AND VISUAL ARTS GRANTS RECIPIENTS AND MONETARY GRANT AWARDS TOTALING \$71,037

*Councilmember Salas stated she would be abstaining from voting on Item 6 due to a potential property-related conflict of interest.*

**ACTION:** A motion was made by Mayor Cox, seconded by Councilmember Bensoussan, that Resolution No. 2014-077 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

3. [14-0274](#) RESOLUTION NO. 2014-001 OF THE CHULA VISTA HOUSING AUTHORITY OF THE CITY OF CHULA VISTA AUTHORIZING THE ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS IN ONE OR MORE SERIES IN A CUMULATIVE AND AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$8 MILLION FOR THE PURPOSE OF FINANCING THE ACQUISITION AND REHABILITATION OF THE KIKU GARDENS (GARDEN VILLAS) HOUSING PROJECT; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF ANY AND ALL DOCUMENTS NECESSARY TO ISSUE THE BONDS, COMPLETE THE TRANSACTION AND IMPLEMENT THIS RESOLUTION, AND RATIFYING AND APPROVING ANY ACTION HERETOFORE TAKEN IN CONNECTION WITH THE BONDS

*Housing Manager Hines provided information on the item.*

*Collin Rice, representing C&C Development, applicant, provided information regarding the temporary housing plan for existing residents during the housing rehabilitation project.*

**ACTION: A motion was made by Mayor Cox, seconded by Councilmember Salas, that Housing Authority Resolution No. 2014-001 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 Association of Fire Fighters (IAFF), spoke in support of the Council authorizing the purchase a fire engine and other fire equipment.*

## **PUBLIC HEARINGS**

8. [14-0266](#) CONSIDERATION OF ACCEPTING THE 2014 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FUNDS

RESOLUTION NO. 2014-079 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$52,296 FROM THE BUREAU OF JUSTICE ASSISTANCE FOR THE 2014 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 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 Deputy Mayor Aguilar, seconded by Councilmember Salas, that Resolution No. 2014-079 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

9. [14-0316](#) CONSIDERATION OF ADOPTION OF ORDINANCES AMENDING TITLE 19 (REGULATING PLANNING AND ZONING) AND CHAPTER 9.13 (REGULATING LICENSING AND OPERATIONAL STANDARDS) OF THE CHULA VISTA MUNICIPAL CODE CONCERNING SEXUALLY ORIENTED BUSINESSES

*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 matter to the City Council meeting of June 10, 2014.*

## ACTION ITEMS

10. [14-0306](#) PRESENTATION OF THE CITY MANAGER'S PROPOSED BUDGET FOR FISCAL YEAR 2014-15

*Director of Finance Kachadoorian gave a presentation on the fiscal year 2014-15 proposed budget, including summaries of all funds and the general fund, and proposed expenditures for the one-time funds in the Telephone User's Tax (TUT) Common Fund.*

*Assistant City Manager Halbert provided information on fiber communications infrastructure.*

*Marketing and Communications Manager Steinberger provided information on public outreach and marketing.*

*Councilmember Ramirez and Deputy Mayor Aguilar spoke in support of focusing on increasing Chula Vista's sales tax revenue.*

*Director of Finance Kachadoorian presented the City's five-year financial forecast.*

*Councilmember Salas spoke in support of the Council acting together to analyze and support or oppose state legislation.*

*Public Works Director Hopkins presented the Capital Improvement Program (CIP) summary.*

*City Attorney Googins provided information about the timing and actions required to adopt the budget.*

## CITY MANAGER'S REPORTS

*City Manager Sandoval thanked the Fire personnel who served in the recent fires. He spoke regarding the proactive measures taken to mitigate potential fires in Chula Vista.*

## MAYOR'S REPORTS

Mayor Cox announced that the City's employee unions would have time-certain presentations regarding the budget beginning at 4:00 p.m. at the Council Meeting of May 27, 2014, and that the City Manager's presentation would follow.

Mayor Cox recognized those who served in the armed forces, in honor of Memorial Day.

## COUNCILMEMBERS' COMMENTS

Councilmember Ramirez thanked the City Manager for the proactive reaction to the recent fires and expressed support for additional communication with the community. He spoke in support of investigating the possibility of installing a walking trail around the San Diego Country Club.

Councilmember Salas thanked the public safety crews and volunteers for their work during the recent fires. She spoke regarding the Water Task Subcommittee's planning of a meeting in June 2014 on the topic of drought and the impacts on public safety.

Deputy Mayor Aguilar expressed gratitude to Firefighters and emergency personnel for their response to the recent fires and spoke in support of more proactive communication with members of the public. She spoke in support of Councilmember Ramirez's suggestion for a walking trail around the San Diego Country Club and expressed concern regarding the potential expense. Deputy Mayor Aguilar reported on her attendance at a recent meeting of the South Bay Historical Society.

Mayor Cox announced that the Council would convene in closed session to discuss Item 13 listed below. She stated Item 11 would be continued and Item 12 would not be heard at that time.

Mayor Cox recessed the meeting at 4:55 p.m. The Council reconvened in Closed Session at 5:00 p.m., with all members present. Deputy Mayor Aguilar left at 6:45 p.m.

## 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.

11. [14-0313](#) 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.

Item 11 was not discussed.

12. [14-0315](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9 (b)

One Case:

There is an ongoing disagreement that between the "Participating Agencies" (including the City of Chula Vista), on the one hand, and the City of San Diego and Padre Dam Municipal Water District, on the other hand, over responsibility for reimbursing Padre Dam for its overpayment of wastewater fees dating back to 1998 under the terms of the Master Wastewater Disposal Agreement between the parties.

*Item 12 was not discussed.*

13. [14-0317](#) PUBLIC EMPLOYEE APPOINTMENT PURSUANT TO GOVERNMENT CODE SECTION 54957(b)

Title: City Manager

**ACTION: No reportable action.**

**ADJOURNMENT**

*At 7:05 p.m., Mayor Cox adjourned the meeting to the Regular City Council Meeting on May 27, 2014, at 2:00 p.m., in Council Chambers.*

---

Kerry K. Bigelow, Assistant City Clerk