



MEETING OF THE CITY COUNCIL

Agenda

Mary Casillas Salas, Mayor
Patricia Aguilar, Councilmember
Pamela Bensoussan, Councilmember
John McCann, Councilmember
Steve Miesen, Councilmember

Gary Halbert, City Manager
Glen R. Googins, City Attorney
Donna R. Norris, City Clerk

Tuesday, February 17, 2015

4:00 PM

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

REGULAR MEETING OF THE CITY COUNCIL

CALL TO ORDER

ROLL CALL:

Councilmembers Aguilar, Bensoussan, McCann, Miesen and Mayor Salas

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

SPECIAL ORDERS OF THE DAY

- A. [15-0013](#) PRESENTATION OF A PROCLAMATION TO CHULA VISTA POLICE OFFICERS EVELIA KAHL AND TYLER WALL BY HEALTH & HUMAN SERVICES AGENCY DIRECTOR, SOUTH REGION, BARBARA JIMENEZ, OF THE LIVE WELL SAN DIEGO CHAMPION AWARD AND RECOGNITION OF THEIR EFFORTS TOWARD THE SAFETY OF HARBORSIDE PARK

- B. [15-0043](#) PRESENTATION OF A PROCLAMATION TO SOUTHWESTERN COLLEGE SCHOOL OF ARTS AND COMMUNICATION DEAN, DONNA ARNOLD, PROCLAIMING SATURDAY, FEBRUARY 28, 2015 AS SOUTHWESTERN COLLEGE SCHOOL OF ARTS AND COMMUNICATION DAY IN THE CITY OF CHULA VISTA

CONSENT CALENDAR (Items 1 - 8)

The Council will enact the Consent Calendar staff recommendations by one motion, without discussion, unless a Councilmember, a member of the public, or staff requests that an item be removed for discussion. If you wish to speak on one of these items, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting. Items pulled from the Consent Calendar will be discussed beginning at 6:00 p.m..

1. [15-0041](#) APPROVAL OF MINUTES of January 13, January, 27, February 3, and February 5, 2015.

Staff Recommendation: Council approve the minutes.

2. [15-0025](#) WRITTEN COMMUNICATIONS
A. Letter of resignation from Nora Vargas, Resource Conservation Commission.
B. Letter of resignation from Jason Paguio, Cultural Arts Commission.

Staff Recommendation: Council accept the resignations.

3. [15-0015](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MINI-GRANT AGREEMENT, ACCEPTING \$2,800 FROM THE SAN DIEGO ASSOCIATION OF GOVERNMENTS, AND APPROPRIATING SAID GRANT FUNDS TO THE PUBLIC WORKS FISCAL YEAR 2015 BUDGET TO SUPPORT NATIONAL BIKE MONTH ACTIVITIES (4/5 VOTE REQUIRED)

Department: Public Works Department

Staff Recommendation: Council adopt the resolution.

4. [14-0749](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2014-15 CIP BUDGET AND ESTABLISHING A NEW CAPITAL IMPROVEMENT PROJECT "BONITA CANYON ENVIRONMENTAL RESTORATION AND MITIGATION PROJECT (DR200)"; REDUCING THE DR189 CIP BUDGET (GENERAL FUND) BY \$377,900 AND APPROPRIATING THE EQUIVALENT AMOUNT TO DR200; ACCEPTING BIDS, AWARDING A CONTRACT IN THE AMOUNT OF \$244,602.10 TO NATURES IMAGE, INC. FOR BONITA CANYON ENVIRONMENTAL RESTORATION AND MITIGATION PROJECT (DR200); WAIVING CITY COUNCIL POLICY NO. 574-01, AND AUTHORIZING THE EXPENDITURE OF ALL AVAILABLE CONTINGENCY FUNDS IN AN AMOUNT NOT TO EXCEED \$37,397.90 (4/5 VOTE REQUIRED)

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A SOLE SOURCE AGREEMENT WITH HELIX ENVIRONMENTAL PLANNING, INC. FOR THE PROVISION OF BIOLOGICAL MONITORING SERVICES DURING THE CONSTRUCTION AND SUBSEQUENT FIVE-YEAR MAINTENANCE PERIOD FOR BONITA CANYON ENVIRONMENTAL RESTORATION AND MITIGATION PROJECT

Department: Public Works Department

Staff Recommendation: Council adopt the resolutions.

5. [15-0004](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$144,954 FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY AND APPROPRIATING SAID FUNDS TO THE POLICE GRANT FUND FOR OPERATION STONEGARDEN (4/5 VOTE REQUIRED)

Department: Police Department

Staff Recommendation: Council adopt the resolution.

6. [14-0632](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING AN INTERFUND LOAN POLICY
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AFFIRMING AND CONSOLIDATING EXISTING INTERFUND LOANS FROM THE TRUNK SEWER CAPITAL RESERVE FUND TO THE SALT CREEK TRUNK SEWER DEVELOPMENT IMPACT FEE FUND WITH A PRINCIPAL AMOUNT OF \$20,667,477 AND APPROVING A CONSOLIDATED INTERFUND LOAN REPAYMENT SCHEDULE REFLECTING FINANCING COSTS AND REPAYMENTS TO DATE
- C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AFFIRMING AND CONSOLIDATING EXISTING INTERFUND LOANS FROM THE TRUNK SEWER CAPITAL RESERVE FUND TO THE STORM DRAIN REVENUE FUND WITH A PRINCIPAL AMOUNT OF \$576,023 AND APPROVING A CONSOLIDATED INTERFUND LOAN REPAYMENT SCHEDULE REFLECTING FINANCING COSTS AND REPAYMENTS TO DATE
- D. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AFFIRMING AND CONSOLIDATING EXISTING INTERFUND LOANS FROM THE SEWER FACILITIES REPLACEMENT FUND TO THE STORM DRAIN REVENUE FUND WITH A PRINCIPAL AMOUNT OF \$640,000 AND APPROVING A CONSOLIDATED INTERFUND LOAN REPAYMENT SCHEDULE REFLECTING FINANCING COSTS AND REPAYMENTS TO DATE
- E. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AFFIRMING THE EXISTING INTERFUND LOAN FROM THE GENERAL FUND TO THE CIVIC CENTER COMPONENT OF THE PUBLIC FACILITIES DEVELOPMENT IMPACT FEE FUND WITH A PRINCIPAL AMOUNT OF \$1,528,969 AND APPROVING AN INTERFUND LOAN REPAYMENT SCHEDULE REFLECTING FINANCING COSTS AND REPAYMENTS TO DATE

F. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AFFIRMING AND CONSOLIDATING THE EXISTING INTERFUND LOANS FROM THE TRANSPORTATION DEVELOPMENT IMPACT FEE FUND TO THE FIRE SUPPRESSION SYSTEM EXPANSION COMPONENT OF THE PUBLIC FACILITIES DEVELOPMENT IMPACT FEE FUND WITH A PRINCIPAL AMOUNT OF \$10.5 MILLION AND APPROVING A CONSOLIDATED INTERFUND LOAN REPAYMENT SCHEDULE REFLECTING FINANCING COSTS AND REPAYMENTS TO DATE

G. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AFFIRMING AND CONSOLIDATING THE EXISTING INTERFUND LOANS FROM THE EASTERN PARKLAND ACQUISITION AND DEVELOPMENT FEE FUND TO THE WESTERN PARKLAND ACQUISITION AND DEVELOPMENT FEE FUND WITH A PRINCIPAL AMOUNT OF \$9.94 MILLION AND APPROVING A CONSOLIDATED INTERFUND LOAN REPAYMENT SCHEDULE REFLECTING FINANCING COSTS AND REPAYMENTS TO DATE

H. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING VARIOUS AMENDMENTS TO THE FISCAL YEAR 2014-15 BUDGET TO REFLECT INTERFUND LOAN REPAYMENTS AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

Department: Finance Department

Staff Recommendation: Council adopt the resolutions.

7. [15-0001](#) ACCEPTANCE OF AUDITED FINANCIAL STATEMENTS FOR FISCAL YEAR ENDED JUNE 30, 2014

Department: Finance Department

Staff Recommendation: Council accept the report.

8. [15-0030](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE SPONSORSHIP OF HARBORFEST 2015 AND STARLIGHT PARADE 2015; AUTHORIZING THE FILING OF AN APPLICATION FOR A \$25,000 COMMUNITY ENHANCEMENT GRANT FROM THE COUNTY OF SAN DIEGO, APPROVING THE REQUISITE RESOLUTION PROVIDED BY THE COUNTY; AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO SIGN AN AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE COUNTY OF SAN DIEGO AND RELATED DOCUMENTS

Department: City Manager

Staff Recommendation: Council adopt the resolution.

THE FOLLOWING ITEMS TO BE HEARD BEGINNING AT 6:00 P.M.:

ITEMS REMOVED FROM THE CONSENT CALENDAR

PUBLIC COMMENTS

Persons speaking during Public Comments may address the Council on any subject matter within the Council's jurisdiction that is not listed as an item on the agenda. State law generally prohibits the Council from discussing or taking action on any issue not included on the agenda, but, if appropriate, the Council may schedule the topic for future discussion or refer the matter to staff. Comments are limited to three minutes.

PUBLIC HEARINGS

The following item(s) have been advertised as public hearing(s) as required by law. If you wish to speak on any item, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting.

9. [14-0625](#) CONSIDERATION OF AMENDMENTS TO CHULA VISTA MUNICIPAL CODE CHAPTER 19.09 (GROWTH MANAGEMENT), AND APPROVAL OF THE GROWTH MANAGEMENT PROGRAM IMPLEMENTATION MANUAL AND THE GROWTH MANAGEMENT PROGRAM DOCUMENT (Continued from January 27, 2015)

A. ORDINANCE OF THE CITY OF CHULA VISTA APPROVING AMENDMENTS TO CHULA VISTA MUNICIPAL CODE CHAPTER 19.09 (GROWTH MANAGEMENT) (FIRST READING)

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE GROWTH MANAGEMENT PROGRAM IMPLEMENTATION MANUAL TO REPLACE THE THRESHOLD STANDARDS AND GROWTH MANAGEMENT OVERSIGHT COMMITTEE POLICY, AND THE GROWTH MANAGEMENT PROGRAM DOCUMENT

Department: Development Services Department

Staff Recommendation: Council conduct the public hearing, place the ordinance on first reading and adopt the resolution.

10. [15-0003](#) CONSIDERATION OF WAIVING A MINOR MATHEMATICAL ERROR IN THE BID RECEIVED FOR THE "REPLACEMENT OF CURB AND GUTTER CITYWIDE FISCAL YEAR 2014/2015"

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING A MINOR MATHEMATICAL ERROR; ACCEPTING BIDS; AWARDED A CONTRACT FOR THE "REPLACEMENT OF CURB AND GUTTER CITYWIDE FY2014-2015, IN THE CITY OF CHULA VISTA, CALIFORNIA CIP#STL402" PROJECT TO JUST CONSTRUCTION, INC. IN THE AMOUNT OF \$165,686.50; AND AUTHORIZING THE EXPENDITURE OF ALL AVAILABLE CONTINGENCY FUNDS IN AMOUNT NOT TO EXCEED \$15,313.50

Department: Public Works Department

Staff Recommendation: Council conduct the public hearing and adopt the resolution.

ACTION ITEMS

The Item(s) listed in this section of the agenda will be considered individually by the Council and are expected to elicit discussion and deliberation. If you wish to speak on any item, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting.

11. [15-0002](#) REPORT ON FISCAL YEAR 2014 STRATEGIC PLAN ACCOMPLISHMENTS

Department: City Manager

Staff Recommendation: Council accept the report.

12. [14-0636](#) CONSIDERATION OF APPROVING A DESIGN/BUILD AGREEMENT WITH WEST COAST GENERAL/CONDON JOHNSON, INC. CONSTRUCTION, AMENDING THE FISCAL YEAR 2014/2015 BUDGET, ESTABLISHING THE TELEGRAPH CANYON ROAD EROSION REPAIR PROJECT, AND APPROPRIATING \$1,800,000 FROM THE GENERAL FUND RESERVES THEREFOR

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE DESIGN/BUILD AGREEMENT WITH WEST COAST GENERAL/CONDON JOHNSON, INC. CONSTRUCTION FOR THE DESIGN AND CONSTRUCTION OF A SECANT PILE WALL IN TELEGRAPH CANYON; AMENDING THE FISCAL YEAR 2014/2015 CIP BUDGET AND ESTABLISHING A NEW CAPITAL IMPROVEMENT PROJECT "TELEGRAPH CANYON ROAD EROSION REPAIR (DR199)"; AND APPROPRIATING \$1,800,000 FROM THE GENERAL FUND RESERVES TO CIP DR199 (4/5 VOTE REQUIRED)

Department: Public Works Department

Staff Recommendation: Council adopt the resolution.

CITY MANAGER'S REPORTS**MAYOR'S REPORTS**

13. [15-0023](#) COUNCIL DISCUSSION AND POSSIBLE ACTION REGARDING CHANGING THE TIME OF REGULAR CITY COUNCIL MEETINGS

COUNCILMEMBERS' COMMENTS

14. [15-0024](#) COUNCILMEMBER AGUILAR: CONSIDERATION OF THE FORMATION OF AN AD-HOC SUBCOMMITTEE WITH COUNCILMEMBERS AGUILAR AND McCANN FOR THE 2015 STARLIGHT PARADE

CLOSED SESSION

Should the Council conclude Special Orders of the Day and the Consent Calendar prior to 6:00 p.m., it may convene in Closed Session prior to 6:00 p.m. to hear items listed on the agenda under Closed Session. Announcements of actions taken in Closed Session shall be made available by noon on Wednesday following the Council Meeting at the City Attorney's office in accordance with the Ralph M. Brown Act (Government Code 54957.7).

15. [15-0028](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9 (b)

One Case.

[The case to be discussed involves a letter dated January 21, 2015, from Coast Law Group LLP and Briggs Law Corporation Re: Notice of Intent to File Law Suit and Demand for Cure Public Records Act and Brown Act Violations]

16. [15-0042](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: 224 Third Avenue, Chula Vista, CA [APN: 568-044-19]

Agency Negotiators: Eric Crockett and Rick Ryals

Negotiating Parties: City of Chula Vista and Hector Gonzales

Under Negotiation: Price and Terms

ADJOURNMENT

to the Regular City Council Meeting on March 3, 2015, at 4:00 p.m., in the Council Chambers.

Materials provided to the City Council related to any open-session item on this agenda are available for public review at the City Clerk's Office, located in City Hall at 276 Fourth Avenue, Building A, during normal business hours.

*In compliance with the
AMERICANS WITH DISABILITIES ACT*

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