

City of Chula Vista

Meeting Minutes - Draft

Tuesday, June 19, 2018

5:00 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 5:02 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.

ROLL CALL:

Present: Deputy Mayor Diaz, Councilmember McCann and Councilmember Padilla

Excused: Councilmember Aguilar and Mayor Casillas Salas

Also Present: Deputy City Manager Bacon, Sr. Assistant City Attorney Miesfeld, City Clerk Bigelow, and Deputy City Clerk Kansas

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Councilmember McCann led the Pledge of Allegiance.

Deputy Mayor Diaz announced that Items 4 and 8 would be continued to the meeting of July 10, 2018.

SPECIAL ORDERS OF THE DAY

- A. [18-0225](#) PRESENTATION OF QUARTERLY EMPLOYEE RECOGNITION RECIPIENTS

Human Resources Director Chase recognized recipients of quarterly employee awards.

- B. [18-0258](#) PRESENTATION BY CULTURAL ARTS MANAGER LYNNETTE TESSITORE OF THE 2018 MCCANDLISS ARTS AWARDS RECIPIENTS AND THE 2018 RISING STAR SCHOLARSHIP WINNERS: JARED LUZANO, VANESSA ORDONEZ, DAHLIA SUITER, SHAE-LIN CARR, AND RAQUEL ACHERMAN

Cultural Arts Manager Tessitore and Intern Fernandez gave a presentation on the item.

Susan Johnson, Chula Vista resident, spoke in support of the Chula Vista Cultural Arts.

CONSENT CALENDAR (Items 1 - 11)

There was consensus of the Council to schedule a meeting for June 26, 2018, due to timing restrictions related to Item 8.

Items 4 and 8 were removed from the Consent Calendar and continued to a future meeting of the Council.

1. [18-0251](#) APPROVAL OF MINUTES of March 20 and 27, 2018

Recommended Action: Council approve the minutes.

2. [18-0263](#) WRITTEN COMMUNICATIONS

Letter from Councilmember Aguilar requesting an excused absence from the May 15, 2018 council meeting.

Recommended Action: Council excuse the absence.

3. [18-0265](#) ORDINANCE NO. 3427 OF THE CITY OF CHULA VISTA ADDING MUNICIPAL CODE SECTION 2.50.150 REGARDING SIGNERS OF WRITTEN ARGUMENTS FOR OR AGAINST BALLOT MEASURES (SECOND READING AND ADOPTION)

Recommended Action: Council adopt the ordinance.

Item 4 was removed from the Consent Calendar.

5. [18-0112](#) RESOLUTION NO. 2018-107 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AWARDED THE AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND WILMINGTON TRUST CORPORATION FOR BOND TRUSTEE SERVICES FOR ALL DEBT ISSUES AND BOND ISSUANCES, AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE SAID AGREEMENT

Recommended Action: Council adopt the resolution.

6. [18-0181](#) RESOLUTION NO. 2018-108 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ESTABLISHING THE GANN INITIATIVE APPROPRIATIONS LIMIT FOR THE CITY OF CHULA VISTA FOR FISCAL YEAR 2018-19

Recommended Action: Council adopt the resolution.

7. [18-0228](#) RESOLUTION NO. 2018-109 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE PERFORMING AND VISUAL ARTS GRANT REVIEW PANEL'S GRANT AWARD RECOMMENDATIONS FOR FISCAL YEAR 2018-19 WITH A TOTAL MONETARY GRANT AWARD FOR THIS FISCAL YEAR TOTALING \$78,730

Recommended Action: Council adopt the resolution.

Item 8 was removed from the Consent Calendar.

9. [18-0250](#) RESOLUTION NO. 2018-110 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING A POST-EMPLOYMENT HEALTH PLAN FOR ELIGIBLE PUBLIC EMPLOYEES

Recommended Action: Council adopt the resolution.

10. [18-0136](#) RESOLUTION NO. 2018-111 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A PARK MASTER PLAN FOR THE 2.0-ACRE PUBLIC PARK, LOCATED IN THE TOWN CENTER AT OTAY RANCH (FREEWAY COMMERCIAL NORTH, PORTION OF OTAY RANCH PLANNING AREA 12), AND APPROVING THE PARK NAME, "CENTERPARK"

Recommended Action: Council adopt the resolution.

11. [18-0174](#) A. RESOLUTION NO. 2018-112 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE BIDDING REQUIREMENTS AND APPROVING AN EXTENSION TO THE LANDSCAPE MAINTENANCE CONTRACT BETWEEN THE CITY AND AZTEC LANDSCAPING, INC. FOR EASTLAKE MAINTENANCE DISTRICT ZONES A, B, AND D AND OPEN SPACE DISTRICT 31 IN THE AMOUNT OF \$216,704; OPEN SPACE DISTRICTS 2, 18, AND 23 IN THE AMOUNT OF \$87,072; OLYMPIC PARKWAY (I-805 TO SR125), EASTLAKE LANDSWAP, OLYMPIC PARKWAY (SR125 TO HUNTE PARKWAY), AND OTAY RANCH VILLAGE 2 SANTA VENETIA (CFD 13M) IN THE AMOUNT OF \$255,197; APPROVING A CHANGE ORDER FOR REINSTATING SERVICES IN OPEN SPACE DISTRICT 7 AND ADDING SERVICES IN DIRECT ACCESS RAMP WEST IN AN AMOUNT NOT TO EXCEED \$18,000

B. RESOLUTION NO. 2018-113 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE BIDDING REQUIREMENTS AND APPROVING AN EXTENSION TO THE LANDSCAPE MAINTENANCE CONTRACT BETWEEN THE CITY AND TERRACARE ASSOCIATES, LLC FOR OPEN SPACE DISTRICT 20 ZONES 2, 3, 4, 5 AND 6 IN THE AMOUNT OF \$568,111; OPEN SPACE DISTRICTS 14, 15, AND 24 IN THE AMOUNT OF \$185,309; AND MCMILLIN OTAY RANCH VILLAGE 6 - CFD 08M AREA 1, AND OTAY RANCH VILLAGE 6 - CFD 08M AREA 2 IN THE AMOUNT OF \$385,901

C. RESOLUTION NO. 2018-114 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE BIDDING REQUIREMENTS AND APPROVING AN EXTENSION TO THE LANDSCAPE MAINTENANCE CONTRACT BETWEEN THE CITY AND BRIGHTVIEW LANDSCAPE SERVICES FOR OPEN SPACE DISTRICTS 1, 17, AND 20 (ZONE 7) IN THE AMOUNT OF \$166,643; TELEGRAPH CANYON ROAD I-805 TO LA FITNESS AND OTAY RANCH VILLAGE 1 WEST SOUTH SLOPES (CFD 99-2) IN THE AMOUNT OF \$159,487

Recommended Action: Council adopt the resolutions.

Approval of the Consent Calendar

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Padilla, to approve staff's recommendations on the above Consent Calendar items, headings read, text waived. The motion carried by the following vote:

Yes: 3 - Diaz, McCann and Padilla

No: 0

Abstain: 0

ITEMS REMOVED FROM THE CONSENT CALENDAR

4. [18-0266](#) ORDINANCE NO. 3428 OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.05.010 RELATING TO THE ESTABLISHMENT OF UNCLASSIFIED POSITIONS TO ADD PUBLIC WORKS SUPERINTENDENT (SECOND READING AND ADOPTION) (4/5 VOTE REQUIRED)

Item 4 was continued to a future meeting of the Council.

8. [18-0222](#) A. RESOLUTION NO. 2018-117 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2018-19 FOR OPEN SPACE DISTRICTS 1 THROUGH 11, 14, 15, 17, 18, 20 (ZONES 1 THROUGH 9), 23, 24, 26, 31, 33, EASTLAKE MAINTENANCE DISTRICT (ZONES A THROUGH E), BAY BOULEVARD MAINTENANCE DISTRICT, AND TOWN CENTRE MAINTENANCE DISTRICT PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972
- B. RESOLUTION NO. 2018-118 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER'S REPORT; DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE FISCAL YEAR 2018-19 ASSESSMENTS FOR OPEN SPACE DISTRICTS 2 THROUGH 7, 11, 14, 15, 17, 18, 20 (ZONES 1 THROUGH 6, 8, AND 9), 23, 24, 26, 31, 33, EASTLAKE MAINTENANCE DISTRICT NO 1 (ZONES A, B, D, AND E), AND BAY BOULEVARD MAINTENANCE DISTRICT
- C. RESOLUTION NO. 2018-119 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER'S REPORT; DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE FISCAL YEAR 2018-19 ASSESSMENTS FOR OPEN SPACE DISTRICTS 9, 10 AND TOWN CENTRE MAINTENANCE DISTRICT

D. RESOLUTION NO. 2018-120 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER'S REPORT; DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE FISCAL YEAR 2018-19 ASSESSMENTS FOR OPEN SPACE DISTRICT 8

E. RESOLUTION NO. 2018-121 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER'S REPORT; DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE FISCAL YEAR 2018-19 ASSESSMENTS FOR OPEN SPACE DISTRICT 20 (ZONE 7)

F. RESOLUTION NO. 2018-122 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER'S REPORT; DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE FISCAL YEAR 2018-19 ASSESSMENTS FOR OPEN SPACE DISTRICT 1

G. RESOLUTION NO. 2018-123 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER'S REPORT; DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE FISCAL YEAR 2018-19 ASSESSMENTS FOR EASTLAKE MAINTENANCE DISTRICT NO. 1 (ZONE C)

Item 8 was continued to a future meeting of the Council.

PUBLIC COMMENTS

Marianne Gibson, Chula Vista resident, spoke regarding landscape and irrigation issues in Open Space District 11.

The following Chula Vista residents expressed concern regarding legalizing marijuana activities in the City:

- Susan Dunford*
- Katelyn Price*
- Chloe Price*
- Aubree Price*
- Colleen Price*

Steven Pavka, Chula Vista resident, spoke regarding gun control.

PUBLIC HEARINGS

12. [18-0104](#) A. RESOLUTION NO. 2018-124 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECT CHV 48 FOR FISCAL YEARS 2018-19 THROUGH 2022-23 FOR INCLUSION IN THE REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM AND PROVIDING THE CERTIFICATION AND INDEMNITY STATEMENTS NECESSARY TO OBTAIN TRANSNET FUNDS
- B. RESOLUTION NO. 2018-125 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECT CHV 80 FOR FISCAL YEARS 2018-19 THROUGH 2022-23 FOR INCLUSION IN THE REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM AND PROVIDING THE CERTIFICATION AND INDEMNITY STATEMENTS NECESSARY TO OBTAIN TRANSNET FUNDS
- C. RESOLUTION NO. 2018-126 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS EXCEPT FOR PROJECTS CHV 48 AND CHV 80 FOR FISCAL YEARS 2018-19 THROUGH 2022-23 FOR INCLUSION IN THE REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM AND PROVIDING THE CERTIFICATION AND INDEMNITY STATEMENTS NECESSARY TO OBTAIN TRANSNET FUNDS, APPROVING ADMINISTRATIVE TRANSFERS AS REQUIRED BY SANDAG, REDUCING CTY0228 BY \$36,921 IN TRANSNET FUNDS AND APPROPRIATING THE EQUIVALENT AMOUNT IN TRANSNET FUNDS TO STL0423 (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.

Deputy Mayor Diaz opened the public hearing.

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

There was consensus of the Council to continue the item to June 26, 2018 at 5:00 p.m.

ACTION ITEMS**13. [18-0149](#) UPDATE ON THE SMART CITIES STRATEGIC ACTION PLAN**

A. RESOLUTION NO. 2018-115 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING A CONTRACT FOR SERVICE TO MAGELLAN ADVISORS

B. RESOLUTION NO. 2018-116 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE OPEN DATA POLICY

Chief Sustainability Officer Gakunga, Director of Information and Technology Services Chew, and Supervising Public Safety Analyst Walker gave a presentation on the item.

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Padilla, that Resolution Nos. 2018-115 and 2018-116 be adopted, headings read, text waived. The motion carried by the following vote:

Yes: 3 - Diaz, McCann and Padilla

No: 0

Abstain: 0

MAYOR'S REPORTS

There were none.

CITY MANAGER'S REPORTS

Deputy City Manager Bacon stated the California Public Utilities Commission would be conducting a public hearing in the Chula Vista City Hall Council Chambers regarding proposed SDG&E rate increases. She also reported on the upcoming ribbon cutting of the Chula Vista Elite Athlete housing.

COUNCILMEMBERS' COMMENTS

Councilmember McCann wished all fathers a Happy Father's Day. He spoke regarding the World Cup Soccer games, and congratulated Mexico on their win.

CITY ATTORNEY'S REPORTS

Sr. Assistant City Attorney Miesfeld clarified items 8 and 12 were continued to the meeting of June 26, 2018 at 5:00 p.m.

Sr. Assistant City Attorney Miesfeld announced that the Council would convene in closed session to discuss the items listed below.

At 6:34 p.m., the Council convened in Closed Session with all members present except Councilmember Aguilar and Mayor Casillas Salas.

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.

14. [18-0249](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2):

One [1] Case. Just Construction, Inc.

ACTION: Pending finalization of settlement agreement.

ADJOURNMENT

At 6:47 p.m., Deputy Mayor Diaz adjourned the meeting to the Regular City Council Meeting on June 26, 2018, at 5:00 p.m., in the Council Chambers.

Kerry K. Bigelow, MMC, City Clerk