

City of Chula Vista

Meeting Minutes - Draft

Tuesday, August 11, 2015

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 5:05 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.

ROLL CALL:

Present: Councilmember Aguilar, Deputy Mayor Bensoussan, Councilmember McCann, Councilmember Miesen and Mayor Salas

Councilmember Aguilar arrived at 5:10 p.m.

Also present: City Manager Halbert, City Attorney Googins, City Clerk Norris, and Assistant City Clerk Bigelow

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Councilmember Miesen led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

A. [15-0463](#) OATHS OF OFFICE

- Michael D. Jackson, Safety Commission
- Francine Mague, International Friendship Commission
- Manuel Delgado, Mobilehome Rent Review Commission

City Clerk Norris administered the oaths of office to Commissioners Jackson, Mague, and Delgado, and Deputy Mayor Bensoussan presented them with certificates of appointment.

Aurora Cudal Rivera, Chula Vista resident, expressed appreciation for the appointments of Commissioners Mague and Macapugay to the International Friendship Commission and Cultural Arts Commission, respectively.

B. [15-0464](#) INTRODUCTION OF THE CITY OF CHULA VISTA'S SISTER CITY ODAWARA, JAPAN YOUTH AMBASSADORS KAITO TSUCHIYA, AYAKA SATO, YUKIE MATSUNAGA AND AKIKO SAKATA, PARTICIPANTS IN THE ANNUAL INTERNATIONAL FRIENDSHIP COMMISSION'S EXCHANGE PROGRAM AND A PRESENTATION BY THE CHULA VISTA YOUTH AMBASSADORS LOREN FERNANDEZ, MARIO ORSO, MOLLY UYEDA AND GITALIA DI FERRETTI REGARDING THEIR EXPERIENCE IN ODAWARA

Mayor Salas stated that Item B would be continued.

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- * **15-0481** PRESENTATION BY THE CULTURAL ARTS COMMISSION OF THE 2015 GAYLE MCCANDLISS ARTS AWARD WINNER OF THE RISING STAR AWARD TO SWEETWATER HIGH SCHOOL STUDENT MAYA O'CAMPO

Kirin Macapugay, representing the Cultural Arts Commission, recognized Maya O'Campo, recipient of the 2015 Gayle McCandliss Arts Award.

- C. [15-0332](#) UPDATE ON CITY NOW, THE CITY'S CONTINUOUS IMPROVEMENT PROGRAM: VIRTUAL WAREHOUSE PROJECT

Performance and Organizational Development Manager Mills spoke regarding the City's Continuous Improvement Program. Senior Information Technology Support Specialist Lawthers, Recreation Supervisor Ellis, Public Works Specialist Walters, and Forensics Specialist Garber gave a presentation on the Virtual Warehouse continuous improvement project.

CONSENT CALENDAR (Items 1 - 8)

Item 2 was removed from the Consent Calendar at the request of Deputy Mayor Bensoussan.

City Attorney Googins stated that the following Councilmembers had potential property-related conflicts of interest: Councilmember McCann on Item 4 and Mayor Salas on Items 6 and 8. Mayor Salas and Councilmember McCann stated they would abstain from voting on those items.

City Attorney Googins announced that, regarding Item 6A, a revised Exhibit C was presented to Council for consideration.

1. [15-0248](#) RESOLUTION NO. 2015-190 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE ESTABLISHMENT OF A CALIFORNIA MULTIPLE AWARD SCHEDULE CONTRACT FROM SPORTS SURFACES DISTRIBUTING, INC., IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF REQUEST FOR PROPOSAL NUMBER GS-07F-556OP AND THE COOPERATIVE AGREEMENT (CONTRACT NO. 4-15-78-0033B) WITH THE DEPARTMENT OF GENERAL SERVICES FOR ARTIFICIAL TURF REPLACEMENT AT THE SALT CREEK SOCCER ARENA

Recommended Action: Council adopt the resolution.

Item 2 was removed from the Consent Calendar.

3. [15-0362](#) RESOLUTION NO. 2015-192 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING A GRANT FROM THE SAN DIEGO FOUNDATION - COMMUNITY IMPACT DIVISION AND THE BLOOMBERG AWARD FOR LOCAL SUSTAINABILITY MATCHING FUND, TO DEVELOP A WATER REUSE FRAMEWORK, APPROPRIATING \$135,000 TO THE WASTE MANAGEMENT AND RECYCLING FUND, AND AUTHORIZING THE PUBLIC WORKS DIRECTOR OR DESIGNEE TO EXECUTE ALL GRANT DOCUMENTS AND IMPLEMENT PROJECTS FUNDED BY THE GRANT (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

4. [15-0364](#) RESOLUTION NO. 2015-193 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT FOR DEVELOPING A TELEGRAPH CANYON CHANNEL NEXUS STUDY BETWEEN THE CITY AND ATKINS NORTH AMERICA, INC.

Recommended Action: Council adopt the resolution.

5. [15-0252](#) RESOLUTION NO. 2015-194 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING ASSIGNMENT OF DELINQUENT TAX RECEIVABLES TO THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY FOR PRIOR FISCAL YEARS, AND AUTHORIZING EXECUTION AND DELIVERY OF RELATED DOCUMENTS AND ACTIONS

Recommended Action: Council adopt the resolution.

6. [15-0369](#) A. RESOLUTION NO. 2015-195 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT TO PROVIDE INVESTMENT BANKING AND BOND UNDERWRITING SERVICES FOR THE BAYFRONT PROJECT BETWEEN THE CITY AND J.P. MORGAN SECURITIES, LLC AND AUTHORIZING THE CITY MANAGER TO EXERCISE FIVE ONE-YEAR OPTIONS TO EXTEND THE AGREEMENT

B. RESOLUTION NO. 2015-196 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE FORMAL BID REQUIREMENT, APPROVING AN AGREEMENT TO PROVIDE ECONOMIC ADVISORY SERVICES FOR THE BAYFRONT PROJECT BETWEEN THE CITY AND ECONOMIC & PLANNING SYSTEMS, INC., AND AUTHORIZING THE CITY MANAGER TO EXERCISE TWO ONE-YEAR OPTIONS TO EXTEND THE AGREEMENT

Recommended Action: Council adopt the resolutions.

7. [15-0353](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.24 OF THE CHULA VISTA MUNICIPAL CODE ADDING SECTION 15.24.070 SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS (FIRST READING)

Recommended Action: Council place the ordinance on first reading.

8. [15-0412](#) A. RESOLUTION NO. 2015-197 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING RESOLUTION NO. 2014-150 OF THE CITY OF CHULA VISTA BY ADOPTING THE CALIFORNIA COASTAL COMMISSION'S MARCH 11, 2015 ACTIONS ON THE CITY OF CHULA VISTA LOCAL COASTAL PROGRAM AND ACCEPTING AND INCORPORATING ONE MODIFICATION TO EXHIBIT 8a OF THE LAND USE PLAN

B. ORDINANCE NO. 3352 OF THE CITY OF CHULA VISTA APPROVING THE AMENDED SPECIFIC PLAN OF THE CHULA VISTA LOCAL COASTAL PROGRAM, AMENDING CHULA VISTA MUNICIPAL CODE CHAPTERS 19.81 THROUGH 19.87 AND MAKING CERTAIN FINDINGS WITH REGARD THERETO (SECOND READING) (This ordinance was introduced July 22, 2014)

Recommended Action: Council adopt the resolution and ordinance.

Approval of the Consent Calendar

ACTION: A motion was made by Deputy Mayor Bensoussan, seconded by Councilmember Aguilar, to approve staff's recommendations on Consent Calendar Items 1, 3 through 5, 6 as revised, and 7 through 8, headings read, text waived. The motion carried by the following vote:

Items 1, 3, 5, and 7:

Yes: 5 - Aguilar, Bensoussan, McCann, Miesen and Salas

No: 0

Abstain: 0

ACTION: Item 4:

Yes: 4 - Aguilar, Bensoussan, Miesen and Salas

No: 0

Abstain: 1 - McCann

ACTION: Items 6, as revised, and 8:

Yes: 4 - Aguilar, Bensoussan, McCann and Miesen

No: 0

Abstain: 1 - Salas

ITEMS REMOVED FROM THE CONSENT CALENDAR

2. [15-0359](#) RESOLUTION NO. 2015-191 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE CALIFORNIA HERO PROGRAM TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES, ENERGY AND WATER EFFICIENCY IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE, APPROVING AN AMENDMENT TO THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS JOINT POWERS AGREEMENT TO ADD THE CITY AS A MEMBER, AND APPROVING AN INDEMNITY AGREEMENT WITH THE PROGRAM ADMINISTRATOR

At the request of Deputy Mayor Bensoussan, Public Works Director Hopkins presented an amendment to the proposed resolution to clarify that the program would build on the existing PACE program, which had already been approved by Council.

ACTION: A motion was made by Deputy Mayor Bensoussan, seconded by Councilmember McCann, that Resolution No. 2015-191 be adopted as amended to add to the resolution, "WHEREAS, On June 6, 2015, the City Council approved guidelines for implementation of the Property Assessed Clean Energy program (PACE) and this amendment follows these guidelines." The heading was read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, McCann, Miesen and Salas

No: 0

Abstain: 0

PUBLIC COMMENTS

The following members of the public expressed concern regarding the condition of several residences located in Chula Vista:

- Paulina Olvera Canez, representing ACCE, and she also spoke in support of strengthening housing standards*
- Justin Hewgill, San Diego resident, and he also spoke in support of strengthening housing standards*
- Linda Nelson, Chula Vista resident*
- Tineshea Nelson, Chula Vista resident*
- David Olachea, Chula Vista resident*
- Donovan Irish, Chula Vista resident*
- Martha Carrillo, Chula Vista resident*
- San Juana Lopez, Chula Vista resident*

CITY MANAGER'S REPORTS

City Manager Halbert spoke regarding the upcoming California Coastal Commission's meetings at City Hall. He provided information regarding the Asset Management Program and stated that staff would provide Council with an update at a later meeting.

MAYOR'S REPORTS

Mayor Salas wished the Sweetwater Valley Little League luck as they were playing toward the Little League World Series. She also announced that Chula Vista South Pony-13 won the 2015 Pony League World Series.

Mayor Salas announced the 50th anniversary of the Voting Rights Act and spoke regarding a recent celebratory event she attended. She thanked Councilmember Aguilar, Chief Bejarano and Council Aide Branscomb for their sponsorship of the Police Department's National Night Out. She also reported on the recent Living Coast Discovery Center fundraiser.

COUNCILMEMBERS' COMMENTS

In response to a question from Deputy Mayor Bensoussan, City Manager Halbert spoke regarding the City's response to complaints and the inspection of multi-family residences.

Deputy Mayor Bensoussan announced the upcoming Harborfest event.

Councilmember Aguilar spoke regarding the recent National Night Out event and the level of safety in Chula Vista.

Councilmember McCann recognized the Boy Scouts who attended the Council meeting.

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

Mayor Salas recessed the meeting at 6:00 p.m. The Council reconvened in Closed Session at 6:07 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. [15-0462](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (a)

- A. John Hess v. Dave Hanneman, et al., United States District Court, Case No. 14cv2271CAB JMA
- B. Tommy LaNier v. City of Chula Vista, et al., San Diego Superior Court, Case No. 37-2014-00019774-CU-DF-CTL
- C. Valerie Taylor v. City of Chula Vista, et al., San Diego Superior Court, Case No. 37-2014-00028754-CU-OE-CTL
- D. Rudolph Diaz v. City of Chula Vista, et al., San Diego Superior Court, Case No. 37-2014-00016795-CU-OE-CTL

ACTION: No reportable action.

10. [15-0470](#) CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6

Agency designated representatives: Gary Halbert, Glen Googins, Kelley Bacon, Maria Kachadoorian, Courtney Barrett and Simon Silva.

Employee organization(s):

- Chula Vista Employees Association/Service Employees International Union, Local 221 (CVEA/SEIU);
- Mid-Managers/Professional Association/Service Employees International Union, Local 221 (MM/PROF/SEIU); and
- Western Council of Engineers (WCE).

ACTION: No reportable action.

ADJOURNMENT

At 7:13 p.m., Mayor Salas adjourned the meeting to the Regular City Council Meeting on August 18, 2015, at 5:00 p.m., in the Council Chambers.

Kerry K. Bigelow, Assistant City Clerk