

City of Chula Vista

Meeting Minutes - Draft

Tuesday, May 13, 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 2:00 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

Councilmember Ramirez arrived at 3:27 p.m.

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

City Attorney Googins led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

- A. 14-0238** PRESENTATION BY AQUATICA WATER PARK VICE PRESIDENT DAVID CROMWELL REGARDING AN UPDATE ON AQUATICA ENTERING ITS SECOND SEASON IN CHULA VISTA

David Cromwell, representing Aquatica, gave a presentation on the waterpark and announced its second season opening on May 24, 2014.

- B. 14-0290** PRESENTATION BY CHULA VISTA PORT COMMISSIONER ANN MOORE ON THE IMPLEMENTATION OF THE CHULA VISTA BAYFRONT DEVELOPMENT STRATEGY

Port Commissioner Moore and Greg Hartman, Executive Vice President of Jones Lang LaSalle Hotels, representing the Port of San Diego, provided an update on the Chula Vista Bayfront development, including hotel and infrastructure development strategies.

- C. 14-0147** PRESENTATION BY PUBLIC WORKS CONSERVATION AND ENVIRONMENTAL SERVICES STAFF MONICA RODRIGUEZ AND MARTIE SOLOMON RECOGNIZING THE NEWEST CLEAN BUSINESS PROGRAM PARTICIPANTS

Recycling Specialist Solomon and Office Specialist Rodriguez recognized the Clean Business Program participants.

- D. 14-0184** PRESENTATION OF A PROCLAMATION TO RECREATION DIRECTOR KRISTI MCCLURE, SENIOR RECREATION MANAGER TIM FARMER AND U.S. OLYMPIC TRAINING CENTER ASSOCIATE DIRECTOR DAVE STOW PROCLAIMING MAY 17, 2014 AS KIDS TO PARKS DAY IN THE CITY OF CHULA VISTA

Recreation Director McClure and Senior Recreation Manager Farmer provided information on Kids to Parks Day. Mayor Cox read the proclamation and Deputy Mayor Aguilar presented it to Ms. McClure and Mr. Farmer.

- E. 14-0239** UPDATE ON CITY NOW, THE CITY'S CONTINUOUS IMPROVEMENT PROGRAM: CITY COUNCIL AGENDA PROJECT

Assistant City Clerk Bigelow and Senior Management Analyst Lengyel gave a presentation on the City Council Agenda Project.

- F. 14-0254** PRESENTATION OF A PROCLAMATION TO PUBLIC WORKS ASSISTANT DIRECTOR OF OPERATIONS IRACSEMA QUILANTAN AND ASSISTANT DIRECTOR OF ENGINEERING BILL VALLE PROCLAIMING THE WEEK OF MAY 18 THROUGH MAY 24, 2014 AS NATIONAL PUBLIC WORKS WEEK

Mayor Cox read the proclamation and Councilmember Bensoussan presented it to Assistant Director of Public Works Quilantan, Assistant Director of Engineering Valle, and members of the Public Works staff.

- G. 14-0261** PRESENTATION OF A PROCLAMATION TO CITY OF CHULA VISTA DIRECTOR OF RECREATION KRISTI MCCLURE, FIRE CHIEF DAVE HANNEMAN, FIRE CAPTAIN MIKE FILSON AND AQUATIC SUPERVISOR ELIZABETH KOVAR PROCLAIMING MAY 2014 AS DROWNING PREVENTION MONTH

Mayor Cox read the proclamation and Councilmember Salas presented it to Recreation Director McClure, Fire Chief Hanneman, Fire Captain Filson and Aquatic Supervisor Kovar.

CONSENT CALENDAR (Items 1 - 8)

Item 3 was removed from the Consent Calendar at the request of Councilmember Salas. Mayor Cox announced that Item 6 would be continued to the meeting of May 20, 2014. She announced a correction for Item 7 and stated that the non-infrastructure grant area applied to F Street between 3rd Avenue and Bay Boulevard, as stated in the item's staff report.

- 1. 14-0288** APPROVAL OF MINUTES of March 11, March 25, April 8, and April 10, 2014.

Recommended Action: Council approve the minutes.

2. 14-0284 WRITTEN COMMUNICATIONS

Letter of resignation from Benjamin Flores, Resource Conservation Commission.

Recommended Action: Council accept the resignation.

Item 3 was removed from the Consent Calendar.

4. 14-0259 RESOLUTION NO. 2014-070 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A JOINT EXERCISE OF POWERS AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND THE SAN DIEGO UNIFIED PORT DISTRICT

Recommended Action: Council adopt the resolution.

5. 14-0196 RESOLUTION NO. 2014-071 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE SECOND AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING (MOU), DATED NOVEMBER 16, 2007, AMONG THE CO-PERMITTEES OF SAN DIEGO COUNTY NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM MUNICIPAL PERMIT, AND AUTHORIZING THE MAYOR TO SIGN THE SECOND AMENDMENT ON BEHALF OF THE CITY

Recommended Action: Council adopt the resolution.

Item 6 was removed from the Consent Calendar.

7. 14-0255 RESOLUTION NO. 2014-072 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE APPLICATION FOR THE ACTIVE TRANSPORTATION GRANT FOR FISCAL YEAR 2014-15, CERTIFYING THAT MATCHING FUNDS WILL BE AVAILABLE THEREFOR, AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS OR HIS DESIGNEE TO EXECUTE IN THE NAME OF THE CITY OF CHULA VISTA ALL GRANT DOCUMENTS, INCLUDING BUT NOT LIMITED TO, APPLICATIONS, AGREEMENTS, AMENDMENTS AND REQUESTS FOR PAYMENTS NECESSARY TO SECURE GRANT

Recommended Action: Council adopt the resolution

8. **14-0234** RESOLUTION NO. 2014-073 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT WITH PROS CONSULTING, LLC TO PREPARE A COST RECOVERY, RESOURCE ALLOCATION AND REVENUE ENHANCEMENT STUDY FOR THE CITY'S RECREATION FEES

Recommended Action: Council adopt the resolution.

Approval of the Consent Calendar

ACTION: A motion was made by Councilmember Ramirez, seconded by Mayor Cox, 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

3. **14-0122** RESOLUTION NO. 2014-069 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AND RATIFYING THE 2013/14 BUDGET OF THE THIRD AVENUE BUSINESS IMPROVEMENT DISTRICT AND AUTHORIZING THE DISBURSEMENT OF FUNDS IN ACCORDANCE WITH THE BUDGET

Councilmember Salas stated she would be abstaining from voting on Item 3 due to a potential property-related conflict of interest.

ACTION: A motion was made by Councilmember Ramirez, seconded by Mayor Cox, that Resolution No. 2014-069 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

6. **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.)

Mayor Cox announced that Item 6 would be trailed to the meeting of May 20, 2014.

PUBLIC COMMENTS

James Burnham, representing Voices for Children, spoke regarding children in the foster care system and the need for foster families.

CITY MANAGER'S REPORTS

There was none.

9. **14-0298** Presentation by the City's Collective Bargaining Units regarding the City's Finances

Mayor Cox announced that Item 9 would be continued to the meeting of May 27, 2014.

MAYOR'S REPORTS

10. **14-0299** Consideration of appointment of a voting delegate and alternate for the 2014 Annual League of California Cities Conference, to be held in Los Angeles September 3-5.

ACTION: A motion was made by Mayor Cox, seconded by Councilmember Bensoussan, to appoint Mayor Cox as the voting delegate for the 2014 Annual League of California Cities Conference. The motion carried by the following vote:

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

No: 0

Abstain: 0

ACTION: A motion was made by Mayor Cox, seconded by Councilmember Ramirez, to appoint Councilmember Bensoussan as the alternate voting delegate for the 2014 Annual League of California Cities Conference. The motion carried by the following vote:

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

No: 0

Abstain: 0

Mayor Cox announced the following upcoming events: Chula Vista Community Fun Run, the San Diego Foundation's Chula Vista Day at the Padres, and the South County Veteran Career Pathways Workshop.

COUNCILMEMBERS' COMMENTS

11. **14-0296** COUNCILMEMBER SALAS: Discussion and potential action regarding the formation of an ad-hoc committee comprised of Councilmember Salas and Deputy Mayor Aguilar for the purposes of continuing to work on water issues and identifying opportunities to give presentations on water issues to the public.

City Attorney Googins stated that the proposed committee met the ad-hoc committee requirements of the Brown Act as it would be active for a specific duration and covered specific subject matter.

ACTION: A motion was made by Councilmember Salas, seconded by Councilmember Ramirez, to form an ad-hoc committee to be active through December 2014, comprised of Councilmember Salas and Deputy Mayor Aguilar, for the purposes of continuing to work on water issues and identifying opportunities to give presentations on water issues to the public. The motion carried by the following vote:

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

No: 0

Abstain: 0

Deputy Mayor Aguilar spoke regarding her recent visit to a Bonita Optimists Club meeting.

Councilmember Bensoussan encouraged support of local theater and announced upcoming productions: *Little Mermaid* by Christian Youth Theater and *Nine-to-Five* by OnStage Playhouse.

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

At 3:59 p.m., Mayor Cox recessed the meeting. At 4:12 p.m., the Council convened in Closed Session.

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.

12. **14-0276** 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 12 was not heard.

13. 14-0294 PUBLIC EMPLOYEE APPOINTMENT PURSUANT TO GOVERNMENT CODE SECTION 54957(b)

Title: City Manager

ACTION: No reportable action.

ADJOURNMENT

At 5:15 p.m., Mayor Cox adjourned the meeting to the Regular City Council Meeting on May 20, 2014, at 2:00 p.m., in the Council Chambers.

Kerry K. Bigelow, Assistant City Clerk