

City of Chula Vista

Meeting Minutes - Final

Tuesday, April 21, 2015

5:00 PM

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

SPECIAL MEETING OF THE HOUSING AUTHORITY MEETING JOINTLY WITH THE CITY COUNCIL OF THE CITY OF CHULA VISTA

CALL TO ORDER

A Special Meeting of the Housing Authority meeting jointly with the City Council was called to order at 5:04 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 and Councilmember Miesen

Absent: Mayor Salas

Also Present: City Manager Halbert, City Attorney Googins, City Clerk Norris, and Deputy City Clerk Kansas

Deputy Mayor Bensoussan 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

Councilmember McCann led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

- A. [15-0094](#) PRESENTATION OF A PROCLAMATION TO THE CITY'S CLEAN TEAM MEMBERS PROCLAIMING APRIL 2015 AS EARTH MONTH IN THE CITY OF CHULA VISTA

Deputy Mayor Bensoussan read the proclamation and Councilmember Miesen presented it to the "City's Clean Team."

- B. [15-0139](#) PRESENTATION OF A PROCLAMATION TO NORMAN PARK SENIOR CENTER'S CLUB PRESIDENT SUSAN ALVAREZ PROCLAIMING MAY 2015 AS OLDER AMERICAN MONTH IN THE CITY OF CHULA VISTA

Deputy Mayor Bensoussan read the proclamation and Councilmember Aguilar presented it to Ms. Alvarez.

- C. [15-0148](#) PRESENTATION OF A PROCLAMATION TO CALIFORNIA NATIVE PLANT SOCIETY- SAN DIEGO'S OUTREACH CHAIR BETSY CORY PROCLAIMING THE THIRD WEEK OF APRIL AS NATIVE PLANT WEEK IN THE CITY OF CHULA VISTA

Deputy Mayor Bensoussan read the proclamation and Councilmember Miesen presented it to Ms. Cory.

- D. [15-0149](#) REUSE & REPAIR: ONE PERSON'S TRASH IS ANOTHER PERSON'S TREASURE PRESENTATION BY RECYCLING SPECIALIST II MANUEL MEDRANO, SR. GRAPHIC DESIGNER KIM SCHANZ AND WEBMASTER NORMA FRANK

Recycling Specialist Medrano, Sr. Graphic Designer Schanz and Webmaster Frank, along with her daughter, Nicolette Frank, presented "Crap to Fab."

- E. [15-0164](#) PRESENTATION BY SANDAG SENIOR REGIONAL PLANNER CAROLINA I. GREGOR REGARDING SAN DIEGO FORWARD: THE REGIONAL PLAN

Carolina Gregor, Senior Regional Planner, representing SANDAG, gave a presentation on San Diego's regional plan.

- F. [15-0171](#) PRESENTATION RECOGNIZING THE SAN DIEGO LAW LIBRARY AND PROCLAIMING MAY 1, 2015 AS LAW DAY IN THE CITY OF CHULA VISTA

City Attorney Googins spoke regarding Law Day. Deputy Mayor Bensoussan read the proclamation and presented it to City Attorney Googins.

- G. [15-0163](#) PRESENTATION OF A PROCLAMATION TO ARMIDA MARTINEZ, GOLD STAR MOTHER OF SERGEANT MICHAEL MARTINEZ (KIA) PROCLAIMING MONDAY, MAY 4, 2015 AS REMEMBERING OUR FALLEN DAY IN THE CITY OF CHULA VISTA

Deputy Mayor Bensoussan read the proclamation and Councilmember McCann presented it to Armida Martinez, mother of fallen Sergeant, Michael Martinez.

CONSENT CALENDAR (Items 1 - 5)

Item 5 was removed from the Consent Calendar at the request of a member of the public.

1. [15-0160](#) WRITTEN COMMUNICATIONS

Letter of resignation from Ritchie Adair, Safety Commission.

Recommended Action: Council accept the resignation.
2. [15-0167](#) ORDINANCE NO. 3340 OF THE CITY OF CHULA VISTA AMENDING VARIOUS SECTIONS OF CHULA VISTA MUNICIPAL CODE CHAPTER 2.52 TO ADJUST THE CAMPAIGN CONTRIBUTION LIMIT FOR ANY ELECTION HELD ON OR AFTER JANUARY 1, 2016 (SECOND READING AND ADOPTION)

Recommended Action: Council adopt the ordinance.

3. [15-0168](#) A. ORDINANCE NO. 3341 OF THE CITY OF CHULA VISTA ADOPTING AMENDMENTS TO THE URBAN CORE SPECIFIC PLAN TO: 1) REZONE CERTAIN APARTMENT RESIDENTIAL (R-3) ZONED PARCELS AND CERTAIN COMMERCIAL ZONED PARCELS FOR CONSISTENCY WITHIN THEIR UCSP SUBDISTRICT AREA EXCLUDING THE FOLLOWING SUBDISTRICTS: V-1; V-2; V-3; UC-12; AND UC-14; 2) REMOVE THE MINIMUM FLOOR AREA RATIO IN CERTAIN SUBDISTRICTS; 3) REMOVE LOT COVERAGE AS A MANDATORY DEVELOPMENT STANDARD; AND 4) MAKE MINOR MODIFICATIONS TO ENSURE CONSISTENCY WITH CITY POLICIES, PROCEDURES, AND PROCESSES (SECOND READING AND ADOPTION)
- B. ORDINANCE NO. 3342 OF THE CITY OF CHULA VISTA ADOPTING AMENDMENTS TO THE URBAN CORE SPECIFIC PLAN TO: 1) REZONE CERTAIN APARTMENT RESIDENTIAL (R-3) ZONED PARCELS AND CERTAIN COMMERCIAL ZONED PARCELS FOR CONSISTENCY WITHIN THEIR UCSP AREA; 2) REMOVE THE MINIMUM FLOOR AREA RATIO IN CERTAIN SUBDISTRICTS; 3) REMOVE LOT COVERAGE AS A MANDATORY DEVELOPMENT STANDARD; AND 4) MAKE MINOR MODIFICATIONS TO ENSURE CONSISTENCY WITH CITY POLICIES, PROCEDURES, AND PROCESSES (SECOND READING AND ADOPTION)
- C. ORDINANCE NO. 3343 OF THE CITY OF CHULA VISTA ADOPTING AMENDMENTS TO THE URBAN CORE SPECIFIC PLAN LAND USE MATRIX TO ALLOW CERTAIN DELETIONS AND ADDITIONS OF LAND USES AND PERMIT PROCESSES (SECOND READING AND ADOPTION)

Recommended Action: Council adopt the ordinances.

4. [15-0169](#) ORDINANCE NO. 3344 OF THE CITY OF CHULA VISTA ADDING CHAPTER 3.56 TO THE CHULA VISTA MUNICIPAL CODE RELATING TO DEVELOPMENT IMPACT FEES IN WESTERN CHULA VISTA (SECOND READING AND ADOPTION)

Recommended Action: Council adopt the ordinance.

Item 5 was removed from the Consent Calendar.

Approval of the Consent Calendar

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Aguilar, to approve staff's recommendations on Consent Calendar Items 1, 2 and 4, headings read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, McCann and Miesen

No: 0

Abstain: 0

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Aguilar, to approve staff's recommendation on Consent Calendar Item 3, heading read, text waived. The motion carried by the following vote:

Yes: 3 - Aguilar, Bensoussan and McCann

No: 0

Abstain: 1 - Miesen

ITEMS REMOVED FROM THE CONSENT CALENDAR

5. [15-0016](#) RESOLUTION NO. 2015-083 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA INITIATING AN APPLICATION FOR THE HISTORIC DESIGNATION OF THE ROHR INDUSTRIES DROP HAMMER

David Danciu, Chula Vista resident, spoke in support of staff's recommendation.

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Aguilar, that Resolution No. 2015-083 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, McCann and Miesen

No: 0

Abstain: 0

PUBLIC COMMENTS

Kay Bodge, National City resident, volunteer at Norman Park Senior Center, thanked the Council for assistance received for repairs to the Center and asked for continued support.

PUBLIC HEARINGS

6. [15-0038](#) REVIEW OF THE CITY OF CHULA VISTA 2015-2019 FIVE YEAR CONSOLIDATED PLAN AND 2015/2016 ANNUAL ACTION PLAN FOR THE U.S. HOUSING AND URBAN DEVELOPMENT FEDERAL GRANT PROGRAMS (COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIPS ACT AND EMERGENCY SOLUTIONS GRANT)

Notice of 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.

Housing Manager Hines, Project Coordinator Davis and Project Coordinator Dorado gave a presentation on the item.

Deputy Mayor Bensoussan opened the public hearing.

Chequita Falls, representing Meals-On-Wheels, spoke in support of staff's recommendation.

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

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Aguilar, to accept the report, heading read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, McCann and Miesen

No: 0

Abstain: 0

7. [15-0047](#) CONSIDERATION OF APPROVAL OF FINANCIAL ASSISTANCE FOR A PROPOSED 123-UNIT SENIOR AND 87-UNIT MULTIFAMILY AFFORDABLE HOUSING DEVELOPMENT WITHIN THE MILLENIA MASTER PLANNED COMMUNITY

A. RESOLUTION NO. 2015-084 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AND NO. 2015-008 OF THE HOUSING AUTHORITY, IN ITS CAPACITY AS THE SUCCESSOR HOUSING ENTITY WITHIN THE MEANING OF HEALTH AND SAFETY CODE SECTION 34176, [1] APPROVING TOTAL FINANCIAL ASSISTANCE OF \$932,000; AND [2] AUTHORIZING THE CITY MANAGER TO EXECUTE RELATED LOAN DOCUMENTS BY AND BETWEEN THE CITY OF CHULA VISTA AND A TO-BE-FORMED LIMITED PARTNERSHIP FOR MILLENIA SENIOR AFFORDABLE APARTMENTS

B. RESOLUTION NO. 2015-085 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA [1] APPROVING DEFERRAL OF THE APPLICABLE PARKLAND ACQUISITION AND DEVELOPMENT, TRAFFIC SIGNAL, SALT CREEK SEWER BASIN, AND SEWER CAPACITY FEES, AND WAIVER OF THE RESIDENTIAL CONSTRUCTION TAX IN AN ESTIMATED AMOUNT OF \$1,288,571; AND [2] AUTHORIZING THE CITY MANAGER TO EXECUTE FEE DEFERRAL AGREEMENTS AND RELATED SECURITY INSTRUMENTS BY AND BETWEEN THE CITY OF CHULA VISTA AND A TO-BE-FORMED LIMITED PARTNERSHIP FOR MILLENIA SENIOR AFFORDABLE APARTMENTS

C. RESOLUTION NO. 2015-086 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AND NO. 2015-009 OF THE HOUSING AUTHORITY, IN ITS CAPACITY AS THE SUCCESSOR HOUSING ENTITY WITHIN THE MEANING OF HEALTH AND SAFETY CODE SECTION 34176, [1] APPROVING TOTAL FINANCIAL ASSISTANCE OF \$2,068,000; AND [2] AUTHORIZING THE CITY MANAGER TO EXECUTE RELATED LOAN DOCUMENTS BY AND BETWEEN THE CITY OF CHULA VISTA AND A TO-BE-FORMED LIMITED PARTNERSHIP FOR MILLENIA MULTIFAMILY AFFORDABLE APARTMENTS

D. RESOLUTION NO. 2015-087 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA [1] APPROVING DEFERRAL OF THE APPLICABLE PARKLAND ACQUISITION AND DEVELOPMENT FEE, TRAFFIC SIGNAL, SALT CREEK SEWER BASIN, AND SEWER CAPACITY FEES, AND WAIVER OF THE RESIDENTIAL CONSTRUCTION TAX IN THE TOTAL ESTIMATED AMOUNT OF \$911,429; AND [2] AUTHORIZING THE CITY MANAGER TO EXECUTE FEE DEFERRAL AGREEMENTS AND RELATED SECURITY INSTRUMENTS BY AND BETWEEN THE CITY OF CHULA VISTA AND A TO-BE-FORMED LIMITED PARTNERSHIP FOR MILLENIA MULTIFAMILY AFFORDABLE APARTMENTS

E. RESOLUTION NO. 2015-088 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AMENDMENT TO THE EASTERN URBAN CENTER AFFORDABLE HOUSING PROGRAM TO FACILITATE THE DEVELOPMENT OF LOW- AND MODERATE-INCOME HOUSING

F. RESOLUTION NO. 2015-089 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AMENDMENT TO THE AGREEMENT REGARDING CONSTRUCTION OF PARKS IN A PORTION OF OTAY RANCH EASTERN URBAN CENTER

Councilmember Miesen stated he would recuse himself from participation on the item based on attorney advice due to a potential financial-related conflict of interest as a result of his position with Republic Services. He left the dais during discussion and voting on the item.

Housing Manager Hines provided an overview of the benefits of the proposed project and staff's recommended actions.

Deputy Mayor Bensoussan opened public hearing.

Walter Heiberg, representing Chelsea Investment Corporation, spoke in support of staff's recommendation.

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

Councilmember Aguilar questioned the property taxes. Housing Manager Hines stated that it was tax exempt.

Todd Galarneau, applicant, representing Millenia Real Estate Group, spoke in support of staff's recommendation and presented information on the parking.

At the request of Councilmember Aguilar, there was consensus of the Council to amend resolutions B and D to include a "be it further resolved" clause following the first "be it resolved clause" to indicate specific required findings.

Deputy Mayor Bensoussan recessed the meeting at 7:43 p.m.

ACTION: A motion was made by Councilmember McCann, seconded by Deputy Mayor Bensoussan, heading read, text waived. The motion carried as amended for resolutions B and D by the following vote:

Yes: 3 - Aguilar, Bensoussan and McCann

No: 0

Abstain: 1 - Miesen

The Council reconvened at 7:49 p.m., all members present, except Mayor Salas.

ACTION ITEMS

8. [15-0170](#) PRESENTATION ON THE RECENT STATE EMERGENCY DROUGHT ORDER AND THE CITY'S CURRENT AND FUTURE ACTIONS IN RESPONSE

Public Works Director Hopkins introduced Environmental Resource Manager Reed who provided an update on the drought conditions and the next steps the City was taking to mitigate the drought effects. Environmental Resource Manager Reed stated that staff would return with a resolution to direct certain measures as well as an ordinance to amend the existing conservation regulations. He also stated that the Interagency Water Task Force would be reinstated. Council discussion ensued. Staff responded to questions from the Councilmembers.

9. [15-0131](#) CONSIDERATION OF GRANTING EASEMENTS FOR WELL SITES AND APPURTENANCES TO SWEETWATER AUTHORITY

A. RESOLUTION NO. 2015-090 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA GRANTING EASEMENTS FOR WELL SITES AND APPURTENANCES TO SWEETWATER AUTHORITY AS NECESSARY FOR THE EXPANSION OF THE RICHARD A. REYNOLDS DESALINATION FACILITY

B. RESOLUTION NO. 2015-091 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA GRANTING AN EASEMENT FOR ELECTRICAL AND COMMUNICATIONS FACILITIES NECESSARY FOR THE OPERATION OF A SWEETWATER AUTHORITY WELL AT FRIENDSHIP PARK

Councilmember McCann stated he would be abstaining from voting on Item 9 due to a potential property-related conflict of interest.

Public Works Director Hopkins introduced Real Property Manager Ryals and Ron Moser, Director of Engineering, representing Sweetwater Authority, who presented information on the item.

Mr. Moser answered questions from Councilmembers.

ACTION: A motion was made by Councilmember Miesen, seconded by Councilmember Aguilar, to adopted Resolution Nos. 2015-090 and 2015-091, headings read, text waived. The motion carried by the following vote:

Yes: 3 - Aguilar, Bensoussan and Miesen

No: 0

Abstain: 1 - McCann

CITY MANAGER'S REPORTS

There were none.

MAYOR'S REPORTS

Deputy Mayor Bensoussan announced the Library Foundation's upcoming food and wine fundraiser as well as the Chula Vista Garden Club's tree planting on April 24, 2015 in honor of Arbor Day.

Councilmember McCann returned to the dais.

COUNCILMEMBERS' COMMENTS

Councilmember McCann reported on his recent trip to the Midway Museum with citizens who tied yellow ribbons to memorialize Vietnam Veterans. He encouraged people to attend the library fundraiser, and congratulated Denny's, the newest business that opened at Winding Walk.

Councilmember Miesen announced that on Saturday, April 25, 2015, Otay Ranch Town Center Eastlake Education Foundation would be holding its annual Cycle and Walk Day, along with the YMCA Healthy Kids Day. He also stated that City staff would be present at an Earth Day event.

City Attorney Googins announced the Brown Act & Ethics Training which would be held on May 14, 2015, at 5:00 p.m. in the Council Chambers, and that Board & Commission members would be invited. He also announced that the Districting Commission would meet on April 24, 2015 at 6:00 p.m. and April 25, 2015 at 10:00 a.m.

ADJOURNMENT

At 8:42 p.m., Deputy Mayor Bensoussan adjourned the meeting to the City Council/Planning Commission/Growth Management Oversight Commission Workshop on April 23, 2015, at 6:00 p.m., in the Council Chambers; and thence to the Regular City Council Meeting on May 5, 2015, at 5:00 p.m., in the Council Chambers.

Sheree Kansas, Deputy City Clerk