

City of Chula Vista

Meeting Minutes - Final

Tuesday, November 3, 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 5:14 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 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

Deputy Mayor Bensoussan announced that Items A and 11 would be continued to the meeting of November 10, 2015.

- A. [15-0604](#) OATHS OF OFFICE
- Christopher Ramirez, Veterans Advisory Commission
 - Griselda Delgado, Cultural Arts Commission
 - Leticia Cazares, Cultural Arts Commission
 - Leslie Smith, Board of Appeals and Advisors
 - Brandon Machuca, Youth Action Council

Item A was continued to the meeting of November 10, 2015.

CONSENT CALENDAR (Items 1 - 8)

1. [15-0606](#) APPROVAL OF MINUTES of October 6, 2015.
Recommended Action: Council approve the minutes.
2. [15-0605](#) ORDINANCE NO. 3355 OF THE CITY OF CHULA VISTA ADDING SECTION 2.52.125 OF THE CHULA VISTA MUNICIPAL CODE RELATING TO ELECTRONIC AND PAPERLESS FILING OF FAIR POLITICAL PRACTICES COMMISSION CAMPAIGN DISCLOSURE STATEMENTS (SECOND READING AND ADOPTION)
Recommended Action: Council adopt the ordinance.

3. [15-0596](#) RESOLUTION NO. 2015-248 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE SECOND AMENDMENT TO A MEMORANDUM OF UNDERSTANDING WITH THE SAN DIEGO ASSOCIATION OF GOVERNMENTS REGARDING AN ENVIRONMENTAL DOCUMENT FOR GRADE SEPARATIONS AND STATIONS TO THE LIGHT RAIL TROLLEY'S (LRT) BLUE LINE, AUTHORIZING THE CITY ATTORNEY TO MAKE SUCH NON-SUBSTANTIVE CHANGES DEEMED NECESSARY FOR THE BENEFIT OF THE CITY, AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE SECOND AMENDMENT

Recommended Action: Council adopt the resolution.

4. [15-0575](#) RESOLUTION NO. 2015-249 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROPRIATING \$370,000 FROM GAS TAX FUNDS TO OP226 FOR SAFETY TREE TRIMMING, PRUNING, AND REMOVAL, AND AMENDING THE CONTRACT WITH WEST COAST ARBORISTS TO INCREASE THE NOT-TO-EXCEED AMOUNT IN FISCAL YEAR 2015-16 FROM \$150,000 TO \$520,000 (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

5. [15-0580](#) RESOLUTION NO. 2015-250 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDDING A CONTRACT FOR THE "ROOF REPLACEMENT AT THE CHULA VISTA ANIMAL CARE FACILITY" PROJECT TO A GOOD ROOFER, INC. IN THE AMOUNT OF \$69,760; AUTHORIZING THE EXPENDITURE OF ALL AVAILABLE CONTINGENCY FUNDS IN THE AMOUNT OF \$6,976; AND APPROPRIATING AN ADDITIONAL \$33,736 THEREFOR (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

6. [15-0581](#) RESOLUTION NO. 2015-251 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDDING A CONTRACT FOR THE "LED MESSAGE BOARDS AT THE CHULA VISTA POLICE DEPARTMENT" PROJECT TO SIGNTECH ELECTRICAL ADVERTISING, INC. IN THE AMOUNT OF \$143,761 AND APPROPRIATING AN ADDITIONAL \$19,574 FROM THE AVAILABLE BALANCE OF THE ASSET SEIZURE FUNDS THEREFOR (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

7. [15-0583](#) RESOLUTION NO. 2015-252 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING A CONTRACT FOR THE "ROOF REPLACEMENT AT CHULA VISTA PARKWAY GYMNASIUM AND POOL" (PR317) PROJECT TO CONTRACT WEST ROOFING, INC. IN THE AMOUNT OF \$160,160 AND AUTHORIZING THE EXPENDITURE OF ALL AVAILABLE CONTINGENCY FUNDS IN AN AMOUNT NOT TO EXCEED \$24,042

Recommended Action: Council adopt the resolution.

8. [15-0600](#) A. RESOLUTION NO. 2015-253 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CHULA VISTA AND THE WESTERN COUNCIL OF ENGINEERS, RELATED TO COMPENSATION AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AFOREMENTIONED MOU AND ANY ADDITIONAL DOCUMENTS WHICH MAY BE NECESSARY OR REQUIRED TO IMPLEMENT SAID MOU

B. RESOLUTION NO. 2015-254 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING EMPLOYER-PAID MEMBER CONTRIBUTIONS FOR EMPLOYEES IN CLASSIFICATIONS REPRESENTED BY THE WESTERN COUNCIL OF ENGINEERS

C. RESOLUTION NO. 2015-255 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING CESSATION OF PAYMENT, ON EMPLOYER SIDE, FOR OPTIONAL BENEFITS BY EMPLOYEES IN CLASSIFICATIONS REPRESENTED BY THE WESTERN COUNCIL OF ENGINEERS AS A RESULT OF TERMINATION OF EMPLOYER-PAID MEMBER CONTRIBUTIONS FOR SAID EMPLOYEES

D. RESOLUTION NO. 2015-256 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2015-2016 BUDGET TO ACCOUNT FOR THE PROPOSED SALARY INCREASE FOR THE WESTERN COUNCIL OF ENGINEERS (4/5 VOTE REQUIRED)

E. RESOLUTION NO. 2015-257 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2015-2016 COMPENSATION SCHEDULE AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5

Recommended Action: Council adopt the resolutions.

Approval of the Consent Calendar

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

Yes: 4 - Aguilar, Bensoussan, McCann and Miesen

No: 0

Abstain: 0

ITEMS REMOVED FROM THE CONSENT CALENDAR

There were none.

PUBLIC COMMENTS (Part 1 of 2)

There were no speakers during the designated Public Comments period. Public Comments were heard out of order following Councilmembers' Comments.

PUBLIC HEARINGS

- 9. [15-0555](#) CONSIDERATION OF CHULA VISTA'S PORTION OF THE 2014 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM

RESOLUTION NO. 2015-258 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDMENT OF THE TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2014/2015 THROUGH 2018/2019 FOR INCLUSION IN THE REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM; PROVIDING THE CERTIFICATION AND INDEMNITY STATEMENTS NECESSARY TO OBTAIN TRANSNET FUNDS; AND APPROVING ADMINISTRATIVE TRANSFERS OF FUNDS AS REQUIRED BY SANDAG

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 Bensoussan opened the public hearing. There being no 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, that Resolution No. 2015-258 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, McCann and Miesen

No: 0

Abstain: 0

10. [15-0578](#) CONSIDERATION OF AMENDING TITLE 10, VEHICLES AND TRAFFIC, BY ADDING CHAPTER 10.87, RESIDENTIAL PERMIT PARKING DISTRICTS, TO THE CHULA VISTA MUNICIPAL CODE

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING TITLE 10, VEHICLES AND TRAFFIC, BY ADDING CHAPTER 10.87, RESIDENTIAL PERMIT PARKING DISTRICTS, TO THE CHULA VISTA MUNICIPAL CODE (FIRST READING)

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.

Assistant Director of Engineering Valle and Principal Civil Engineer Rivera gave a presentation on the item.

Deputy Mayor Bensoussan opened the public hearing.

The following members of the public spoke in support of staff's recommendation:

- Victoria Chapman, Chula Vista resident*
- Pete Springer, Chula Vista resident*
- John Markham, Chula Vista resident, and he also spoke in support of a flexible system for displaying the passes (adhesive decals and mirror hangers), multi-year issuance of passes, allowances for vehicles used for business and other residences with a high volume of vehicles, and lower renewal rates after the initial permit eligibility verification and issuance*
- Richard Hibbard, Chula Vista resident*
- Bob Muff, Chula Vista resident*
- Robert Sanet, Chula Vista resident*
- Kathy Hibbard, Chula Vista resident*

Deputy Mayor Bensoussan read email correspondence into the record from Cynthia Ciolli and Steve Turgeon, Chula Vista residents, who both expressed support for 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, that the above Ordinance be placed on first reading, as amended to allow for the extension of the 12-month permit period, heading read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, McCann and Miesen

No: 0

Abstain: 0

ACTION ITEMS

- 11. [15-0340](#) A. DELIBERATION AND NOMINATIONS OF APPLICANTS TO BE INTERVIEWED FOR VACANCIES ON THE GROWTH MANAGEMENT OVERSIGHT COMMISSION (ONE SEAT), PARKS AND RECREATION COMMISSION (FOUR SEATS), AND CIVIL SERVICE COMMISSION (ONE SEAT)

B. SELECTION OF DATE AND TIME OF OPEN MEETING OR MEETINGS TO CONDUCT INTERVIEWS OF APPLICANTS RECEIVING TWO OR MORE NOMINATIONS AND ALL APPLICANTS FOR THE GROWTH MANAGEMENT OVERSIGHT COMMISSION'S SOUTHEAST AND SOUTHWEST TERRITORY REPRESENTATIVE SEATS (Continued from November 3, 2015)

Item 11 was continued to the meeting of November 10, 2015.

CITY MANAGER'S REPORTS

City Manager Halbert announced the upcoming First Friday Breakfast event on the topic of the City's climate action efforts.

MAYOR'S REPORTS

Deputy Mayor Bensoussan reported on the recent South County Economic Development Council meeting at which the City's upcoming projects were discussed, and suggested the City Manager present similar information at an upcoming Council meeting. She announced the upcoming Veteran's Day service.

COUNCILMEMBERS' COMMENTS

Councilmember McCann spoke regarding the upcoming Veteran's Day holiday and related activities.

PUBLIC COMMENTS (Part 2 of 2)

Bill Williams, Chula Vista resident, spoke regarding lawsuits he has been involved with and submitted written documentation.

Deputy Mayor Bensoussan announced that the Council would convene in closed session to discuss the item listed below.

At 6:20 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. [15-0587](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (a)

Name of case: City of Chula Vista v. Days Inn, et al., San Diego Superior Court, Case No 37-2014-40832-CU-MC-CTL.

ACTION: No reportable action.

ADJOURNMENT

At 6:35 p.m., Deputy Mayor Bensoussan adjourned the meeting to the Regular City Council Meeting on November 10, 2015, at 5:00 p.m., in the Council Chambers.

Kerry K. Bigelow, Assistant City Clerk