



MEETING OF THE CITY COUNCIL

Agenda

Mary Casillas Salas, Mayor
Patricia Aguilar, Councilmember
Pamela Bensoussan, Councilmember
John McCann, Councilmember
Steve Miesen, Councilmember

Gary Halbert, City Manager
Glen R. Googins, City Attorney
Donna R. Norris, City Clerk

Tuesday, March 3, 2015

4:00 PM

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

REGULAR MEETING OF THE CITY COUNCIL

REVISED 2/27/2015

CALL TO ORDER

ROLL CALL:

Councilmembers Aguilar, Bensoussan, McCann, Miesen and Mayor Salas

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

SPECIAL ORDERS OF THE DAY

- A. 15-0075 INTRODUCTION BY DIRECTOR OF PUBLIC WORKS RICHARD HOPKINS, OF EMPLOYEE OF THE MONTH, PUMP MAINTENANCE TECHNICIAN KENNETH THILTGEN
B. 15-0032 ACKNOWLEDGEMENT BY LIBRARY DIRECTOR BETTY WAZNIS OF A CONTRIBUTION FROM FRIENDS OF THE LIBRARY IN THE AMOUNT OF \$17,000 TOWARD THE LIBRARY'S 'TEEN FOCUS' PROJECT

- C. [15-0036](#) PRESENTATION OF A PROCLAMATION TO KEVIN SHAEFFER ON BEHALF OF THE WOUNDED WARRIOR PROJECT, PROCLAIMING SATURDAY, MARCH 21, 2015 AS WOUNDED WARRIOR PROJECT SOLDIER RIDE DAY IN CHULA VISTA
- D. [15-0078](#) PRESENTATION OF A PROCLAMATION TO ST. ROSE OF LIMA PARISH EXECUTIVE OFFICER FOR PACK 810 VERY REVEREND LUKE JAUREGUI, REPRESENTATIVE OF THE CHARTERING ORGANIZATION AND IMMEDIATE PAST CUBMASTER OF PACK 810 SERGIO OLIVEROS, COMMITTEE CHAIR MARINA HUMPHREY AND CUBMASTER JOHN VOGEL COMMENDING CUB SCOUT PACK 810 ON ITS 25-YEAR ANNIVERSARY
- E. [15-0079](#) PRESENTATION OF A PROCLAMATION TO CHULA VISTA RESIDENT NORBERT STEIN IN CELEBRATION OF HIS 102ND BIRTHDAY
- F. **15-0082** PRESENTATION OF A PROCLAMATION TO SAN DIEGO METROPOLITAN TRANSIT SYSTEM (MTS) PUBLIC RELATIONS SPECIALIST MARK OLSON PROCLAIMING THURSDAY, APRIL 9, 2015 AS NATIONAL STAND UP FOR TRANSPORTATION DAY IN THE CITY OF CHULA VISTA

CONSENT CALENDAR (Items 1 - 16)

The Council will enact the Consent Calendar staff recommendations by one motion, without discussion, unless a Councilmember, a member of the public, or staff requests that an item be removed for discussion. If you wish to speak on one of these items, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting. Items pulled from the Consent Calendar will be discussed beginning at 6:00 p.m.

1. [15-0074](#) APPROVAL OF MINUTES of February 17, 2015.
Staff Recommendation: Council approve the minutes.
2. [15-0052](#) WRITTEN COMMUNICATIONS

Memorandum from Councilmember Aguilar requesting an excused absence from the January 27, 2015 City Council meeting.
Staff Recommendation: Council excuse the absence.

3. [15-0053](#) ORDINANCE OF THE CITY OF CHULA VISTA APPROVING AMENDMENTS TO CHULA VISTA MUNICIPAL CODE CHAPTER 19.09 (GROWTH MANAGEMENT) (SECOND READING AND ADOPTION)

Department: Development Services Department
Staff Recommendation: Council adopt the ordinance.

4. [15-0026](#) HOUSING ELEMENT 2014 ANNUAL PROGRESS REPORT

Department: Development Services Department
Staff Recommendation: Council accept the report.

5. [15-0014](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FIRE DEPARTMENT'S FISCAL YEAR 2014/2015 BUDGET BY APPROPRIATING \$336,278 TO BE OFFSET BY UNANTICIPATED REVENUES TO CONDUCT A FIREFIGHTER/PARAMEDIC ACADEMY (4/5 VOTE REQUIRED)

Department: Fire Department
Staff Recommendation: Council adopt the resolution.

6. [15-0045](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADDING ONE GIS SPECIALIST TO THE AUTHORIZED STAFFING LEVEL OF THE FEDERAL GRANTS FUND

Department: Fire & Information Technology Departments
Staff Recommendation: Council adopt the resolution.

7. [15-0037](#) A. QUARTERLY FINANCIAL REPORT FOR THE QUARTER ENDING DECEMBER 31, 2014

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING VARIOUS AMENDMENTS TO THE FISCAL YEAR 2014/2015 BUDGET TO ADJUST FOR VARIANCES AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

Department: Finance Department
Staff Recommendation: Council accept the report and adopt the resolution.

8. [15-0040](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACKNOWLEDGING RECEIPT OF COUNCIL POLICY NO. 220-01, THE CITY OF CHULA VISTA INVESTMENT POLICY AND GUIDELINES; AMENDING THE EXISTING POLICY; AND DELEGATING INVESTMENT ACTIVITY AUTHORITY TO THE DIRECTOR OF FINANCE/TREASURER

B. INVESTMENT REPORT FOR THE QUARTER ENDED DECEMBER 31, 2014

Department: Finance Department

Staff Recommendation: Council adopt the resolution and accept the report.

9. [15-0054](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE AUTHORIZED POSITION COUNT IN THE FINANCE DEPARTMENT TO REFLECT VARIOUS POSITION CHANGES WITH NO NET CHANGE IN AUTHORIZED STAFFING; AND AMENDING THE COMPENSATION SCHEDULE AND CLASSIFICATION PLAN TO REFLECT THE ADDITION OF FINANCE AND PURCHASING MANAGER AND REMOVAL OF THE FINANCE MANAGER POSITION TITLE

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2014/2015 COMPENSATION SCHEDULE AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5

C. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.05.010 RELATING TO THE ESTABLISHMENT OF UNCLASSIFIED POSITIONS TO ADD FINANCE AND PURCHASING MANAGER AND DELETE FINANCE MANAGER (FIRST READING) (4/5 VOTE REQUIRED)

Department: Finance Department

Staff Recommendation: Council adopt the resolutions and place the ordinance on first reading.

10. [15-0046](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE FORMAL BID REQUIREMENT, APPROVING AN EQUIPMENT LEASE CONTRACT WITH MARLIN BUSINESS SERVICES CORPORATION FOR MOBILE DATA COMPUTERS AND ASSOCIATED SOFTWARE, AND APPROPRIATING FUNDS ACCORDINGLY (4/5 VOTE REQUIRED)

Department: Police Department

Staff Recommendation: Council adopt the resolution.

11. [15-0012](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE DONATION OF THIRTY EIGHT (38) TWO-POSITION BUS BIKE RACKS TO THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM (MTS)

Department: Public Works Department

Staff Recommendation: Council adopt the resolution.

12. [15-0022](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING THE CONTRACT FOR THE "SIGNING AND STRIPING WITHIN VARIOUS ELEMENTARY SCHOOLS VICINITY FISCAL YEAR 2013/2014 IN THE CITY OF CHULA VISTA, CALIFORNIA (CIP#TF385)" PROJECT TO PAYNECO SPECIALTIES INCORPORATED DBA PAYCO SPECIALTIES IN THE AMOUNT OF \$159,723.50, WAIVING CITY COUNCIL POLICY NO. 574-01, AND AUTHORIZING THE EXPENDITURE OF ALL AVAILABLE CONTINGENCY FUNDS IN AN AMOUNT NOT TO EXCEED \$30,000

Department: Public Works Department

Staff Recommendation: Council adopt the resolution.

13. [15-0029](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A JOINT GRANT SUBMITTAL WITH THE SAN DIEGO FOUNDATION TO THE NATIONAL PARTNERS FOR PLACES GRANT PROGRAM TO SUPPORT THE DEVELOPMENT OF A WATER REUSE FRAMEWORK

Department: Public Works Department

Staff Recommendation: Council adopt the resolution.

14. [15-0049](#)

A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE FILING OF AN APPLICATION FOR ACTIVE TRANSPORTATION GRANT PROGRAM FUNDS THROUGH THE SAN DIEGO ASSOCIATION OF GOVERNMENTS FOR THE INDUSTRIAL BLVD. BIKE LANES; AUTHORIZING THE DIRECTOR OF PUBLIC WORKS OR HIS DESIGNEE THE POWER TO EXECUTE IN THE NAME OF THE CITY OF CHULA VISTA, ALL GRANT AMENDMENTS AND REQUESTS FOR PAYMENTS NECESSARY TO SECURE GRANT FUNDS; AND ACCEPTING THE TERMS OF THE GRANT AGREEMENT

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE FILING OF AN APPLICATION FOR ACTIVE TRANSPORTATION GRANT PROGRAM FUNDS THROUGH THE SAN DIEGO ASSOCIATION OF GOVERNMENTS FOR THE MULTI-MODAL PEDESTRIAN/BIKEWAY MASTER PLAN; AUTHORIZING THE DIRECTOR OF PUBLIC WORKS OR HIS DESIGNEE THE POWER TO EXECUTE IN THE NAME OF THE CITY OF CHULA VISTA, ALL GRANT AMENDMENTS AND REQUESTS FOR PAYMENTS NECESSARY TO SECURE GRANT FUNDS; AND ACCEPTING THE TERMS OF THE GRANT AGREEMENT

C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE FILING OF AN APPLICATION FOR ACTIVE TRANSPORTATION GRANT PROGRAM FUNDS THROUGH THE SAN DIEGO ASSOCIATION OF GOVERNMENTS FOR THE MAIN STREET CORRIDOR PEDESTRIAN IMPROVEMENTS; AUTHORIZING THE DIRECTOR OF PUBLIC WORKS OR HIS DESIGNEE THE POWER TO EXECUTE IN THE NAME OF THE CITY OF CHULA VISTA, ALL GRANT AMENDMENTS AND REQUESTS FOR PAYMENTS NECESSARY TO SECURE GRANT FUNDS AND ACCEPTING THE TERMS OF THE GRANT AGREEMENT

D. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE FILING OF AN APPLICATION FOR ACTIVE TRANSPORTATION GRANT PROGRAM FUNDS THROUGH THE SAN DIEGO ASSOCIATION OF GOVERNMENTS FOR THE WALK + BIKE CHULA VISTA EDUCATION, ENCOURAGEMENT AND AWARENESS CAMPAIGN; AUTHORIZING THE DIRECTOR OF PUBLIC WORKS OR HIS DESIGNEE THE POWER TO EXECUTE IN THE NAME OF THE CITY OF CHULA VISTA ALL GRANT AMENDMENTS AND REQUESTS FOR PAYMENTS NECESSARY TO SECURE GRANT FUNDS AND ACCEPTING THE TERMS OF THE GRANT AGREEMENT

Department: Public Works Department

Staff Recommendation: Council adopt the resolutions.

15. [15-0055](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE PURCHASE OF A 0.14-ACRE COMMERCIAL PROPERTY LOCATED AT 224 THIRD AVENUE AND AMENDING THE FISCAL YEAR 2014/2015 BUDGET BY APPROPRIATING \$270,000 FROM THE GENERAL FUND RESERVES TO THE NON-DEPARTMENTAL DEPARTMENT CAPITAL BUDGET FOR THE PURCHASE PRICE AND ASSOCIATED COST (4/5 VOTE REQUIRED)

Department: Public Works Department

Staff Recommendation: Council adopt the resolution.

16. [15-0056](#) A. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING SECTION 2.04.020 OF THE CHULA VISTA MUNICIPAL CODE RELATING TO TIME AND PLACE OF COUNCIL MEETINGS, ALLOWING THE TIME OF MEETINGS TO BE SET BY CITY COUNCIL RESOLUTION (FIRST READING)

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA SETTING THE TIME OF REGULAR CITY COUNCIL MEETINGS TO 5:00 P.M.

C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CITY COUNCIL POLICY NO. 104-01, "ORDER OF BUSINESS AT CITY COUNCIL MEETINGS," TO REMOVE THE REQUIREMENT FOR PUBLIC COMMENTS AND BUSINESS ITEMS TO BE HEARD AT 6:00 P.M.

Department: City Attorney & City Clerk

Staff Recommendation: Council place the ordinance on first reading and adopt the resolutions.

THE FOLLOWING ITEMS TO BE HEARD BEGINNING AT 6:00 P.M.:

ITEMS REMOVED FROM THE CONSENT CALENDAR

PUBLIC COMMENTS

Persons speaking during Public Comments may address the Council on any subject matter within the Council's jurisdiction that is not listed as an item on the agenda. State law generally prohibits the Council from discussing or taking action on any issue not included on the agenda, but, if appropriate, the Council may schedule the topic for future discussion or refer the matter to staff. Comments are limited to three minutes.

PUBLIC HEARINGS

The following item(s) have been advertised as public hearing(s) as required by law. If you wish to speak on any item, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting.

17. [15-0003](#) CONSIDERATION OF WAIVING A MINOR MATHEMATICAL ERROR IN THE BID RECEIVED FOR THE "REPLACEMENT OF CURB AND GUTTER CITYWIDE FISCAL YEAR 2014/2015" (Continued from February 17, 2015)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING A MINOR MATHEMATICAL ERROR; ACCEPTING BIDS; AWARDED A CONTRACT FOR THE "REPLACEMENT OF CURB AND GUTTER CITYWIDE FISCAL YEAR 2014/2015, IN THE CITY OF CHULA VISTA, CALIFORNIA CIP#STL402" PROJECT TO JUST CONSTRUCTION, INC. IN THE AMOUNT OF \$165,686.50; AND AUTHORIZING THE EXPENDITURE OF ALL AVAILABLE CONTINGENCY FUNDS IN AN AMOUNT NOT TO EXCEED \$15,313.50

Department: Public Works Department

Staff Recommendation: Council conduct the public hearing and adopt the resolution.

18. [14-0739](#) CONSIDERATION OF AMENDMENTS TO THE CHULA VISTA GAMING PLAN TO INCREASE MAXIMUM NUMBER OF GAMING TABLES FROM 18 TO 20 AND RELATED CHANGES

(Includes public hearing for Item A and related Item B)

A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AMENDMENTS TO THE CHULA VISTA GAMING PLAN TO INCREASE MAXIMUM NUMBER OF GAMING TABLES FROM 18 TO 20, UP TO 15 TABLES OF ANY ONE CLASS, AND RELATED CHANGES, INCLUDING A FIVE YEAR OPERATING AGREEMENT

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA RATIFYING CHIEF DAVID BEJARANO'S APPROVAL OF NEW OWNERS POSSESSING FINANCIAL INTEREST IN THE GAMING OPERATIONS AND CARDROOM LICENSE OF VILLAGE CLUB CARD ROOM

Department: City Attorney

Staff Recommendation: Council conduct the public hearing and adopt the resolutions.

19. [15-0048](#) CONSIDERATION OF CHULA VISTA'S PORTION OF THE 2014 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM

A. RESOLUTION 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 EXCLUDING CHV73 ("THIRD AVENUE STREETScape IMPROVEMENT PROJECT PHASE 3 (STL406)") AND CHV-NEW ("SWEETWATER RIVER PATHWAY STUDY") FOR INCLUSION IN THE REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM, AND PROVIDING THE CERTIFICATION AND INDEMNITY STATEMENTS NECESSARY TO OBTAIN TRANSNET FUNDS

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2014/2015 CIP BUDGET BY ESTABLISHING A NEW CIP PROJECT "THIRD AVENUE STREETScape IMPROVEMENT PROJECT PHASE 3 (STL406)," APPROPRIATING \$150,000 FROM THE AVAILABLE BALANCE OF THE TRANSNET FUND TO STL406, APPROVING THE AMENDMENT OF THE TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2014/2015 THROUGH 2018/2019 TO ADD FUNDING FOR CHV73 FOR INCLUSION IN THE REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM, AND PROVIDING THE CERTIFICATION AND INDEMNITY STATEMENTS NECESSARY TO OBTAIN TRANSNET FUNDS (4/5 VOTE REQUIRED)

C. RESOLUTION 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 TO ADD FUNDING FOR CHV-NEW PROJECT SWEETWATER RIVER PATHWAY STUDY FOR INCLUSION IN THE REGIONAL TRANSPORTATION IMPROVEMENT AND PROVIDING THE CERTIFICATION AND INDEMNITY STATEMENTS NECESSARY TO OBTAIN TRANSNET FUNDS

Department: Public Works Department

Staff Recommendation: Council conduct the public hearing and adopt the resolutions.

ACTION ITEMS

The Item(s) listed in this section of the agenda will be considered individually by the Council and are expected to elicit discussion and deliberation. If you wish to speak on any item, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting.

20. [14-0636](#) CONSIDERATION OF APPROVING A DESIGN/BUILD AGREEMENT WITH WEST COAST GENERAL/CONDON JOHNSON, INC. CONSTRUCTION, AMENDING THE FISCAL YEAR 2014/2015 BUDGET, ESTABLISHING THE TELEGRAPH CANYON ROAD EROSION REPAIR PROJECT, AND APPROPRIATING \$1,800,000 FROM THE GENERAL FUND RESERVES THEREFOR (Continued from February 17, 2015)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE DESIGN/BUILD AGREEMENT WITH WEST COAST GENERAL/CONDON JOHNSON, INC. CONSTRUCTION FOR THE DESIGN AND CONSTRUCTION OF A SECANT PILE WALL IN TELEGRAPH CANYON; AMENDING THE FISCAL YEAR 2014/2015 CIP BUDGET AND ESTABLISHING A NEW CAPITAL IMPROVEMENT PROJECT "TELEGRAPH CANYON ROAD EROSION REPAIR (DR199)"; AND APPROPRIATING \$1,800,000 FROM THE GENERAL FUND RESERVES TO CIP DR199 (4/5 VOTE REQUIRED)

Department: Public Works Department

Staff Recommendation: Council adopt the resolution.

CITY MANAGER'S REPORTS**MAYOR'S REPORTS****COUNCILMEMBERS' COMMENTS**

ADJOURNMENT

to the Regular City Council Workshop on March 5, 2015, at 4:00 p.m., in the Council Chambers; and thence to the State of the City Address on March 17, 2015, at 6:00 p.m., in the Council Chambers.

Materials provided to the City Council related to any open-session item on this agenda are available for public review at the City Clerk's Office, located in City Hall at 276 Fourth Avenue, Building A, during normal business hours.

*In compliance with the
AMERICANS WITH DISABILITIES ACT*

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