



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, July 14, 2015

5:00 PM

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

REGULAR MEETING OF THE CITY COUNCIL

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. 15-0334 OATHS OF OFFICE

Mario Orso, Historic Preservation Commission
Ana Ruth Robles, Housing Advisory Commission

B. 15-0375 INTRODUCTION BY LIBRARY DIRECTOR BETTY WAZNIS OF THE EMPLOYEES OF THE MONTH, THE KINDERGARTEN BOOT CAMP TEAM: CHRISTY BYSTRAK, DIANA YSLA, BOBBE BURCH, ESTHER RODRIGUEZ-PARRA, AND JACKIE MACIAS

C. 15-0393 SPECIAL RECOGNITION OF FOURTH OF JULY BLOCK PARTY ORGANIZERS AND PARTICIPANTS

- D. [15-0351](#) PRESENTATION OF A PROCLAMATION TO RECREATION DIRECTOR KRISTI MCCLURE HUCKABY AND PUBLIC WORKS DIRECTOR RICHARD HOPKINS PROCLAIMING JULY 2015 AS PARKS AND RECREATION MONTH IN CHULA VISTA
- E. [15-0356](#) PRESENTATION BY SPECIAL OLYMPICS SAN DIEGO COUNTY REGIONAL DIRECTOR KAREN TERRA REGARDING SPECIAL OLYMPICS WORLD GAMES SOUTH COUNTY HOST TOWN PARTICIPATION
- F. [15-0382](#) PRESENTATION OF A PROCLAMATION TO CHULA VISTA POLICE DEPARTMENT SERGEANT CARLOS VALDIVIA ON 27 YEARS OF SERVICE TO THE CITY OF CHULA VISTA

CONSENT CALENDAR (Items 1 - 15)

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 immediately following the Consent Calendar.

1. [15-0290](#) APPROVAL OF MINUTES of May 26, June 2, and June 4, 2015.
Staff Recommendation: Council approve the minutes.
2. [15-0358](#) WRITTEN COMMUNICATIONS

Letter of resignation from London Meservy, Board of Appeals and Advisors.
Staff Recommendation: Council accept the resignation.
3. [15-0337](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING SECTION 10.08.110 OF THE CHULA VISTA MUNICIPAL CODE RELATING TO THE DEFINITION OF HOLIDAYS FOR PARKING METERS AND ZONES (SECOND READING AND ADOPTION)
Department: Finance Department
Staff Recommendation: Council adopt the ordinance.

4. [15-0339](#) 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 ADMINISTRATIVE SECRETARY (MAYOR, AT WILL), FA INTELLIGENCE ANALYST, FA SENIOR INTELLIGENCE ANALYST, AND FA SUPERVISORY INTELLIGENCE ANALYST AND TO ELIMINATE THE POSITION TITLES OF CHIEF SERVICE OFFICER, FA PUBLIC SAFETY ANALYST, FA SENIOR PUBLIC SAFETY ANALYST, TRANSIT COORDINATOR, AND TRANSIT MANAGER (SECOND READING AND ADOPTION) (4/5 VOTE REQUIRED)

Department: Finance Department

Staff Recommendation: Council adopt the ordinance.

5. [15-0338](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING SECTION 14.20 OF THE CHULA VISTA MUNICIPAL CODE RELATING TO "STORM WATER MANAGEMENT AND DISCHARGE CONTROL" (SECOND READING AND ADOPTION)

Department: Public Works Department

Staff Recommendation: Council adopt the ordinance.

6. [15-0234](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AGREEMENTS TO PROVIDE ON-CALL SUBSURFACE UTILITY ENGINEERING (POTHOLING) SERVICES FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS BETWEEN THE CITY AND AIRX UTILITY SURVEYORS, INC., AND BETWEEN THE CITY AND CARDNO, INC.

Department: Public Works Department

Staff Recommendation: Council adopt the resolution.

7. [15-0335](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING SUBMITTAL OF FEDERAL FISCAL YEAR 2015-16 HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) CYCLE 7 GRANT APPLICATIONS AND COMMITTING MATCHING FUNDS THEREFOR

Department: Public Works Department

Staff Recommendation: Council adopt the resolution.

8. [15-0342](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE LEVY OF MAXIMUM SPECIAL TAXES FOR FISCAL YEAR 2015/2016 WITHIN COMMUNITY FACILITIES DISTRICTS 97-1, 97-2, 97-3, 98-1, 98-2, 98-3, 99-1, 99-2, 2000-1, 2001-1, 2001-2, 07-I, 08-I, 08-M, 09-M, 11-M, 12-I, 12-M, 13-I AND 13-M; AND DELEGATING TO THE CITY MANAGER, OR DESIGNEE, THE AUTHORITY TO PREPARE AND SUBMIT A CERTIFIED LIST OF ALL PARCELS SUBJECT TO THE SPECIAL TAX, INCLUDING THE AMOUNT OF THE TAX, TO THE COUNTY AUDITOR

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE LEVY OF MAXIMUM SPECIAL TAXES FOR FISCAL YEAR 2015/2016 WITHIN COMMUNITY FACILITIES DISTRICTS 06-I AND 07 -M; AND DELEGATING TO THE CITY MANAGER, OR HIS DESIGNEE, THE AUTHORITY TO PREPARE AND SUBMIT A CERTIFIED LIST OF ALL PARCELS SUBJECT TO THE SPECIAL TAX, INCLUDING THE AMOUNT OF THE TAX, TO THE COUNTY AUDITOR

Department: Public Works Department

Staff Recommendation: Council adopt the resolutions.

9. [15-0345](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING A CONTRACT FOR THE "OTAY RANCH VILLAGE 1 AD 97-2 MAINTENANCE (STL387)" PROJECT TO CAROLINO AND SON ENGINEERING CORPORATION IN THE AMOUNT OF \$211,097.10; WAIVING CITY COUNCIL POLICY 574-01 AND AUTHORIZING THE EXPENDITURE OF ALL AVAILABLE CONTINGENCY FUNDS IN AN AMOUNT NOT TO EXCEED \$31,664.56

Department: Public Works Department

Staff Recommendation: Council adopt the resolution.

10. [15-0347](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS; AWARDING THE CONTRACT FOR THE "NAPLES STREET SIDEWALK INSTALLATION AND PALOMAR STREET SIDEWALK IMPROVEMENTS, ALONG NORTHSIDE FROM ORANGE AVENUE TO THIRD AVENUE (CIP# STL367 & STL369)" PROJECTS TO PORTILLO CONCRETE, INC. IN THE AMOUNT OF \$391,618; WAIVING CITY COUNCIL POLICY 574-01; AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO EXECUTE ALL CHANGE ORDERS; AND AUTHORIZING THE EXPENDITURE OF ALL AVAILABLE CONTINGENCY FUNDS IN AN AMOUNT NOT TO EXCEED \$58,742

Department: Public Works Department

Staff Recommendation: Council adopt the resolution.

11. [15-0258](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING A GRANT OF \$20,000 FROM THE CHULA VISTA CHARITABLE FOUNDATION TO FUND THE "PARKING LOT TO PARKLET" PROJECT AT THE CIVIC CENTER BRANCH OF THE CHULA VISTA PUBLIC LIBRARY AND APPROPRIATING FUNDS ACCORDINGLY (4/5 VOTE REQUIRED)

Department: Library Department

Staff Recommendation: Council adopt the resolution.

12. [15-0344](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA (1) WAIVING THE COMPETITIVE BID REQUIREMENTS; (2) AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN SOUTH BAY COMMUNITY SERVICES AND THE CITY OF CHULA VISTA FOR THE MANAGEMENT AND IMPLEMENTATION OF A HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) TENANT-BASED RENTAL ASSISTANCE PROGRAM; AND (3) AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE INITIAL AGREEMENT AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE THREE ONE-YEAR OPTIONS TO EXTEND THE AGREEMENT BASED ON AVAILABILITY OF HOME ENTITLEMENT FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Department: Development Services Department

Staff Recommendation: Council adopt the resolution.

13. [15-0341](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$21,599 FROM U.S. DEPARTMENT OF HOMELAND SECURITY AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

Department: Police Department

Staff Recommendation: Council adopt the resolution.

14. [15-0354](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN ADMINISTRATIVE SERVICES AGREEMENT BETWEEN ICMA RETIREMENT CORPORATION AND THE CITY OF CHULA VISTA

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A SECOND AMENDMENT TO THE DEFERRED COMPENSATION PLAN ADMINISTRATION AGREEMENT BETWEEN NATIONWIDE RETIREMENT SOLUTIONS, INC. AND THE CITY OF CHULA VISTA

Department: Finance Department

Staff Recommendation: Council adopt the resolutions.

15. [15-0388](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 19.02 OF THE CHULA VISTA MUNICIPAL CODE BY ADDING SECTION 19.02.060 RELATED TO INDEMNITY PROVISIONS FOR CITY ISSUED PERMITS (FIRST READING)

Department: City Attorney

Staff Recommendation: Council place the ordinance on first reading.

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.

16. [15-0273](#) CONSIDERATION OF ACCEPTING THE 2015 SALT CREEK SEWER BASIN DEVELOPMENT IMPACT FEE STUDY AND AMENDING THE ORDINANCE FOR THE SALT CREEK SEWER BASIN DEVELOPMENT IMPACT FEE

A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE 2015 SALT CREEK SEWER BASIN DEVELOPMENT IMPACT FEE STUDY

B. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING THE SALT CREEK SEWER BASIN DEVELOPMENT IMPACT FEE (FIRST READING)

Department: Public Works Department

Staff Recommendation: Council conduct the public hearing, adopt the resolution and place the ordinance on first reading.

17. [15-0343](#) CONSIDERATION OF TESTIMONY FOR THE FISCAL YEAR 2015/2016 LEVY OF ASSESSMENTS AND COLLECTION AGAINST THOSE ASSESSMENTS FOR CERTAIN OPEN SPACE AND MAINTENANCE DISTRICTS
- A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2015/2016 FOR CITY OPEN SPACE DISTRICTS 2 THROUGH 7, 11, 14, 15, 17, 18, 23, 24, 26, 31 AND 33, AND BAY BOULEVARD MAINTENANCE DISTRICT
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2015/2016 FOR CITY OPEN SPACE MAINTENANCE DISTRICT NO. 1
- C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2015/2016 FOR CITY OPEN SPACE MAINTENANCE DISTRICT NO. 8
- D. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2015/2016 FOR CITY OPEN SPACE DISTRICTS 9, 10, AND THE TOWN CENTRE MAINTENANCE DISTRICT
- E. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2015/2016 FOR CITY OPEN SPACE MAINTENANCE DISTRICT NO. 20
- F. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA LEVYING THE ASSESSMENTS AND COLLECTIBLES FOR THE FISCAL YEAR 2015/2016 FOR EASTLAKE MAINTENANCE DISTRICT NO. 1 (ELMD #1)

Department: Public Works Department

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

18. [15-0076](#) CONSIDERATION OF THE PROPOSED ASSESSMENT OF CERTAIN DELINQUENT SEWER SERVICE CHARGES AS RECORDED LIENS (Continued from April 14, 2015)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ASSESSING CERTAIN DELINQUENT SEWER SERVICE CHARGES AS RECORDED LIENS UPON THE RESPECTIVE OWNER-OCCUPIED PARCELS OF LAND AND APPROVING THE PLACEMENT OF DELINQUENT CHARGES ON THE NEXT REGULAR TAX BILL FOR COLLECTION

Department: Finance Department

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

19. [15-0077](#) CONSIDERATION OF THE PROPOSED ASSESSMENT OF CERTAIN DELINQUENT SOLID WASTE SERVICE CHARGES AS RECORDED LIENS (Continued from April 14, 2015)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ASSESSING CERTAIN DELINQUENT SOLID WASTE SERVICE CHARGES AS RECORDED LIENS UPON THE RESPECTIVE PARCELS OF LAND AND APPROVING THE PLACEMENT OF DELINQUENT CHARGES ON THE NEXT REGULAR TAX BILL FOR COLLECTION

Department: Finance Department

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

Time Certain 6:00 p.m.:

20. [15-0378](#) REPORT BY DISTRICTING COMMISSION ON RECOMMENDED DISTRICTING PLAN

RESOLUTION OF THE CITY COUNCIL APPROVING THE DISTRICTING COMMISSION'S RECOMMENDED DISTRICTING PLAN AS THE CITY'S FINAL DISTRICTING PLAN

Staff Recommendation: Council hear the report, hold the public hearing and adopt the resolution.

CITY MANAGER'S REPORTS**MAYOR'S REPORTS**

21. [15-0306](#) Consideration of appointment of a voting delegate and alternate for the 2015 Annual League of California Cities Conference, to be held in San Jose September 30 - October 2.
22. [15-0307](#) Consideration of ratification of reappointments to the following boards and commissions:

REAPPOINTMENTS TO FIRST TERM (initial term less than 2 years)

Melissa Baldwin	Cultural Arts Commission
Yoana Bandala	International Friendship Commission
Rochelle Carroll	Commission on Aging
Mary Johnson	Commission on Aging
Stephen Kalauhi	Board of Library Trustees
Brent Livingston	Board of Ethics
Rosa Robles	Board of Ethics
Mark Valen	Resource Conservation Commission

REAPPOINTMENTS TO SECOND TERM

Pedro Anaya	Planning Commission
Yolanda Calvo	Planning Commission
Julie Danielson	Historic Preservation Commission
Eric Fotiadi	Historic Preservation Commission
Eric Mosolgo	Growth Mgmt Oversight Commission
Jeannine Nash	Commission on Aging
Felicia Starr	Civil Service Commission

REAPPOINTMENTS TO YOUTH ACTION COUNCIL

Isabella De Murguia
Elena Hoffman
Najib Kero
Matthew Modelo
Eric Rodriguez

COUNCILMEMBERS' COMMENTS

CLOSED SESSION

Announcements of actions taken in Closed Session shall be made available by noon on Wednesday following the Council Meeting at the City Attorney's office in accordance with the Ralph M. Brown Act (Government Code 54957.7).

23. [15-0370](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (a)

Name of case: City of Chula Vista, et. al, v. Tracy Sandoval, as San Diego County Auditor-Controller, et. al. in Sacramento Superior Court Case No. 34-2014-80001723-CU-WM-GDS;

Name of case: City of Chula Vista v. Bay & E, Inc., et al., San Diego Superior Court, Case No. 37-2013-00055103-CU-MC-CTL;

Name of case: United States of America et al. v. J-M Manufacturing Company, Inc., et al., United States District Court, Case No. ED CV-06-00055-GW;

Name of case: In the Matter of Ruth Marie West, San Diego Superior Court, Case No. 37-2012-151012-PR-PW-CTL;

Name of case: In the Matter of Ruth Marie West, San Diego Superior Court, Case No. 37-2012-150952-PR-PW-CTL; and,

Name of case: John Hess v. Dave Hanneman, et al., United States District Court, Case No. 14cv2271CAB JMA

ADJOURNMENT

to the Regular City Council Meeting on July 21, 2015, at 5:00 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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