

City of Chula Vista

Meeting Minutes - Final

Tuesday, February 9, 2016

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 5:03 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.

ROLL CALL:

Present: Councilmember Aguilar, Councilmember Bensoussan, Councilmember McCann, Deputy Mayor Miesen and Mayor Casillas 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

Deputy Mayor Miesen led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

- A.** [16-0069](#) PRESENTATION OF A PROCLAMATION TO CHULA VISTA PUBLIC WORKS DEPARTMENT PUMP TECHNICIAN KENNETH THILTGEN, ON 25 YEARS OF SERVICE TO THE CITY OF CHULA VISTA

Mayor Casillas Salas read the proclamation and Councilmember Bensoussan presented it to Mr. Thiltgen.

- B.** [16-0074](#) PRESENTATION OF A PROCLAMATION TO HEALTH & HUMAN SERVICES AGENCY, CENTRAL & SOUTH REGION DIRECTOR BARBARA JIMENEZ AND SWEETWATER UNION HIGH SCHOOL DISTRICT SUPERINTENDENT FOR EQUITY, CULTURE & SUPPORT SERVICES DR. JOE FULCHER, PROCLAIMING THURSDAY, FEBRUARY 11, 2016, AS LOVE YOUR HEART DAY IN CHULA VISTA

Mayor Casillas Salas read the proclamation and Councilmember Aguilar presented it to Ms. Jimenez and Dr. Fulcher.

CONSENT CALENDAR (Items 1 - 4)

Item 4 was removed from the Consent Calendar at the request of Mayor Casillas Salas.

1. [15-0593](#) RESOLUTION NO. 2016-013 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS; REJECTING THE BID OF THE FIRST APPARENT LOW BIDDER, PIPERIN CORPORATION, AS NON-RESPONSIVE; AWARDDING A CONTRACT FOR THE "SEWER REHABILITATION PROJECT, FISCAL YEAR 2012/2013 AT VARIOUS LOCATIONS (CIP# SW276)" PROJECT TO SOUTHWEST PIPELINE AND TRENCHLESS CORP. IN THE AMOUNT OF \$508,450; WAIVING CITY COUNCIL POLICY NO. 574-01; AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO EXECUTE ALL CHANGE ORDERS

Recommended Action: Council adopt the resolution.

2. [15-0611](#) RESOLUTION NO. 2016-014 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT FOR PAVEMENT TESTING AND MANAGEMENT SERVICES BETWEEN THE CITY OF CHULA VISTA AND NICHOLS CONSULTING ENGINEERS, CHARTERED

Recommended Action: Council adopt the resolution.

3. [16-0024](#) RESOLUTION NO. 2016-015 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROPRIATING \$1,100,000 FROM THE AVAILABLE BALANCE OF THE GAS TAX FUND TO THE "STORM DRAIN REPAIRS AT VARIOUS LOCATIONS (CIP# DR204)" PROJECT AND REDUCING THE "STORM DRAIN REHABILITATION PROJECT, FISCAL YEAR 2015/2016 (CIP# DR202)" CIP BUDGET BY \$269,000 IN TRANSNET FUNDS, AND APPROPRIATING THE EQUIVALENT AMOUNT TO CIP# DR204 (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

Item 4 was removed from the Consent Calendar.

Approval of the Consent Calendar

ACTION: A motion was made by Councilmember McCann, seconded by Deputy Mayor Miesen, 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, McCann, Miesen and Casillas Salas

No: 0

Abstain: 0

ITEMS REMOVED FROM THE CONSENT CALENDAR

- 4. [16-0013](#) ORDINANCE OF THE CITY OF CHULA VISTA ADDING CHULA VISTA MUNICIPAL CODE CHAPTER 2.47 - "HEALTHY CHULA VISTA ADVISORY COMMISSION" (FIRST READING)

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Aguilar, to place the above ordinance on first reading, as amended to state that members from each of the four Council districts shall each be nominated by the Mayor after the Mayor consults with and receives a recommendation from the Councilmember representing the Council district. The heading was read, text waived. The motion passed by the following vote:

Yes: 5 - Aguilar, Bensoussan, McCann, Miesen and Casillas Salas
No: 0
Abstain: 0

PUBLIC COMMENTS

There were none.

ACTION ITEMS

- 5. [15-0634](#) RESOLUTION NO. 2016-016 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE TERMS FOR A TRANSFER AGREEMENT AND OPERATING AGREEMENT BETWEEN THE UNITED STATES OLYMPIC COMMITTEE (USOC) AND THE CITY OF CHULA VISTA (CITY) PROVIDING FOR USOC TRANSFER TO CITY OF THE CHULA VISTA OLYMPIC TRAINING CENTER PROPERTY AND FACILITIES, AND CITY OPERATION OF THE FACILITY WITH THE USOC AS ITS PRIMARY TENANT FOR A PERIOD OF FOUR YEARS (WITH EXTENSIONS)

Deputy City Manager Bacon, Rick Adams, representing the U.S. Olympic Committee, and Joe Watkins, representing The Point Loma Trust, presented information on the item.

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

- Lex Gillette, Paralympic athlete at the Olympic Training Center
- Jeff Phair, Chula Vista resident, and he also spoke in support of additional uses at the Center for youth sporting events and other events that would open the Center to the public

ACTION: A motion was made by Mayor Casillas Salas, seconded by Deputy Mayor Miesen and Councilmember McCann, that Resolution No. 2016-016 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, McCann, Miesen and Casillas Salas
No: 0
Abstain: 0

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6. [15-0684](#) CONSIDERATION OF ESTABLISHMENT OF COMMUNITY FACILITIES DISTRICT CFD NO. 17-I, WESTERN CHULA VISTA DEVELOPMENT IMPACT FEE (DIF) FINANCING PROGRAM (THE "FORMATION PROCEEDINGS")

A) RESOLUTION NO. 2016-017 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING A MAP SHOWING THE BOUNDARIES OF THE TERRITORY PROPOSED TO BE INCLUDED IN COMMUNITY FACILITIES DISTRICT NO. 17-I (WESTERN CHULA VISTA DIF FINANCING PROGRAM)

B) RESOLUTION NO. 2016-018 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DECLARING ITS INTENTION TO ESTABLISH COMMUNITY FACILITIES DISTRICT NO. 17-I (WESTERN CHULA VISTA DIF FINANCING PROGRAM) AND TO AUTHORIZE THE LEVY OF A SPECIAL TAX THEREIN TO FINANCE THE PAYMENT OF CERTAIN DEVELOPMENT IMPACT FEE OBLIGATIONS, ORDERING AND DIRECTING THE PREPARATION OF A REPORT FOR SUCH PROPOSED COMMUNITY FACILITIES DISTRICT, AND SETTING THE PUBLIC HEARING TO CONSIDER ESTABLISHMENT OF SUCH DISTRICT

Deputy Mayor Miesen stated he would abstain from voting on the item due to a potential property-related conflict of interest. He left the dais at 6:13 p.m. City Attorney Googins clarified that Deputy Mayor Miesen's potential conflict of interest was related to a business entity in which he had a financial interest.

Director of Economic Development Crockett and Principal Economic Development Specialist Ruiz gave a presentation on the item.

ACTION: A motion was made by Mayor Casillas Salas, seconded by Councilmember McCann, that Resolution Nos. 2016-017 and 2016-018 be adopted, headings read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, McCann and Casillas Salas

No: 0

Abstain: 1 - Miesen

Deputy Mayor Miesen returned to the dais at 6:33 p.m.

7. [16-0019](#) CONSIDERATION OF AUTHORIZING THE ANNEXATION IN THE FUTURE OF A CERTAIN TERRITORY TO CFD NO. 17-I (THE "FUTURE ANNEXATION AUTHORIZATION PROCEEDINGS")

A. RESOLUTION NO. 2016-019 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING A BOUNDARY MAP SHOWING TERRITORY PROPOSED TO BE AUTHORIZED TO BE ANNEXED IN THE FUTURE TO COMMUNITY FACILITIES DISTRICT NO. 17-I (WESTERN CHULA VISTA DIF FINANCING PROGRAM)

B. RESOLUTION NO. 2016-020 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DECLARING ITS INTENTION TO AUTHORIZE THE ANNEXATION IN THE FUTURE OF A CERTAIN TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 17-I (WESTERN CHULA VISTA DIF FINANCING PROGRAM), AND SETTING THE PUBLIC HEARING TO CONSIDER SUCH ANNEXATION

City Attorney Googins stated that Deputy Mayor Miesen had a potential conflict of interest related to a business entity in which he had a financial interest, and that Councilmember Bensoussan, Councilmember McCann and Mayor Casillas Salas had potential property-related conflicts of interest. He stated that the law allowed individuals to be selected by random to participate so that a quorum would exist to vote on the item.

Councilmembers Bensoussan and McCann were selected by random lot by Assistant City Clerk Bigelow to participate in voting on Item 7. Mayor Salas and Deputy Mayor Miesen left the dais at 6:35 p.m.

Director of Economic Development Crockett, Principal Economic Development Specialist Ruiz, Mike Medve, representing Willdan Financial Services, and Warren Diven, representing Best Best & Krieger, responded to questions from the Council.

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Bensoussan, that Resolution Nos. 2016-019 and 2016-020 be adopted, headings read, text waived. The motion carried by the following vote:

Yes: 3 - Aguilar, Bensoussan and McCann

No: 0

Abstain: 2 - Miesen and Casillas Salas

Deputy Mayor Miesen and Mayor Casillas Salas returned to the dais at 6:56 p.m.

CITY MANAGER'S REPORTS

There were none.

MAYOR'S REPORTS

8. [16-0073](#) RATIFICATION OF APPOINTMENTS TO THE FOLLOWING COMMISSIONS:

- Mayra Swanson, Board of Library Trustees
- Carlos Jaime, Resource Conservation Commission

ACTION: A motion was made by Councilmember McCann, seconded by Deputy Mayor Miesen, that the above appointments be ratified. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, McCann, Miesen and Casillas Salas

No: 0

Abstain: 0

Mayor Casillas Salas stated that the next Council meeting would be adjourned in memory Captain Steve Millikin. She spoke regarding a homeownership grant program through Wells Fargo. She also announced the opening of the Civic Center Library renovation and the new Carina's restaurant at Otay Ranch Town Center. She congratulated newly appointed Civil Service Commissioner Jennifer Carbuccia.

COUNCILMEMBERS' COMMENTS

Councilmember McCann paid tribute to Captain Steve Millikin. He thanked the Friends of the Library and staff for their efforts to renovate the Civic Center Library. He also spoke regarding an upcoming refurbishment project with American Legion Post 434.

- 9. [16-0077](#) Consideration of City Council endorsement of the Community Opus Project Viva Música event, May 7, 2016.

Councilmember Bensoussan requested Council support to endorse the Community Opus Project Viva Musica event.

ACTION: A motion was made by Councilmember Aguilar, seconded by Councilmember McCann, that the Community Opus Project Viva Musica event be endorsed by the City. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, McCann, Miesen and Casillas Salas

No: 0

Abstain: 0

ADJOURNMENT

At 7:03 p.m., Mayor Casillas Salas adjourned the meeting to the Regular City Council Meeting on February 16, 2016, at 5:00 p.m., in the Council Chambers.

Kerry K. Bigelow, Assistant City Clerk