

City of Chula Vista

Meeting Minutes - Final

Tuesday, March 6, 2018

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 5:01 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.

ROLL CALL:

Present: Councilmember Aguilar, Deputy Mayor Diaz, Councilmember McCann, Councilmember Padilla and Mayor Casillas Salas

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

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Councilmember Padilla led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

- A. [18-0082](#) OATH OF OFFICE
Kristen Dennis, Historic Preservation Commission

City Clerk Bigelow administered the oath of office to Commissioner Dennis, and Councilmember Aguilar presented her with a certificate of appointment.

- B. [18-0067](#) PRESENTATION OF A PROCLAMATION TO BARBARA HAMILTON, DIRECTOR OF STRATEGIC INITIATIVES FOR THE SAN DIEGO FOOD SYSTEM, PROCLAIMING THE WEEK OF MARCH 5 - 9, 2018 AS FOOD WASTE PREVENTION WEEK AND ACKNOWLEDGING REGIONAL EFFORTS FOR FOOD WASTE REDUCTION SUCH AS THE SAN DIEGO FOOD SYSTEM ALLIANCE "SAVE THE FOOD SAN DIEGO" CAMPAIGN

Mayor Casillas Salas read the proclamation and Deputy Mayor Diaz presented it to Ms. Hamilton. Recycling Specialist DiDonato gave a presentation on the item.

CONSENT CALENDAR (Items 1 - 9)

City Attorney Googins announced that a revised Ordinance for Item 6 had been distributed to the Council and that action on the item would be with respect to the revised document. He stated Mayor Casillas Salas was abstaining on Item #8 due to a potential property related conflict of interest. City Attorney Googins announced that item #12 would be considered as part of the Consent Calendar and that there were no speakers on the item.

1. [18-0100](#) APPROVAL OF MINUTES of December 5, 2017.
Recommended Action: Council approve the minutes.

2. [18-0093](#) ORDINANCE NO. 3416 OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE CHAPTER 9.20 TO PERMIT RECOVERY OF THE CITY'S AVERAGE COSTS RELATED TO GRAFFITI ABATEMENT AND REMEDIATION BY THE SAN DIEGO PROBATION OFFICE IN JUVENILE COURT PROCEEDINGS AND ADOPTING THE 2018 CHULA VISTA GRAFFITI ABATEMENT COST AND EXPENSES MATRIX (SECOND READING AND ADOPTION)
Recommended Action: Council adopt the ordinance.

3. [18-0094](#) ORDINANCE NO. 3417 OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE CHAPTER 5.56 TO PERMIT AND REGULATE TOBACCO RETAILERS (SECOND READING AND ADOPTION)
Recommended Action: Council adopt the ordinance.

Item 4 was removed from the Consent Calendar.

5. [18-0096](#) ORDINANCE NO. 3419 OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.05.010 TO ADD THE UNCLASSIFIED POSITIONS OF CITY LIBRARIAN, PARKS AND RECREATION ADMINISTRATOR, DIRECTOR OF COMMUNITY SERVICES, AND REVENUE MANAGER (SECOND READING AND ADOPTION) (4/5 VOTE REQUIRED)
Recommended Action: Council adopt the ordinance.

Item 6 was removed from the Consent Calendar.

7. [18-0006](#) A. RESOLUTION NO. 2018-036 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE PURCHASE OF ONE (1) NEW ELGIN CROSSWIND J SWEEPER FROM HAAKER EQUIPMENT COMPANY IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF NATIONAL JOINT POWERS ALLIANCE CONTRACT NUMBER 022014-FSC
- B. RESOLUTION NO. 2018-037 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE PURCHASE OF TWO (2) NEW GAPVAX MC SERIES COMBINATION JET/VACUUM MACHINES MOUNTED TO HV513 INTERNATIONAL CHASSIS FROM NATIONAL AUTO FLEET GROUP, IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF NATIONAL JOINT POWERS ALLIANCE CONTRACT NUMBER 081716-NAF

Recommended Action: Council adopt the resolutions.

8. [18-0038](#) RESOLUTION NO. 2018-038 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE SUBMITTAL OF A GRANT APPLICATION FOR THE SMART GROWTH INCENTIVE PROGRAM - CYCLE 4 THROUGH THE SAN DIEGO ASSOCIATION OF GOVERNMENTS FOR PHASE 3 OF THE THIRD AVENUE STREETScape PROJECT FROM F STREET TO E STREET, AND STATING THE CITY'S ASSURANCE TO COMPLETE THE PROJECT

Recommended Action: Council adopt the resolution.

9. [18-0076](#) RESOLUTION NO. 2018-039 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA TRANSFERRING UNCLAIMED MONIES IN THE AMOUNT OF \$923 FROM THE CASH BOND DEPOSIT FUND TO THE GENERAL FUND (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

Items #10 and #11 were considered under the Public Hearing section of the agenda.

12. [18-0058](#) RESOLUTION NO. 2018-042 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND UNITED HEALTHCARE INSURANCE COMPANY, TO PROVIDE SHORT-TERM AND LONG-TERM DISABILITY INSURANCE FOR FULL-TIME BENEFITED EMPLOYEES AND ELECTED OFFICIALS, EXCLUDING: EMPLOYEES REPRESENTED BY THE POLICE OFFICERS ASSOCIATION (POA), INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF), AND TEMPORARY AND SEASONAL EMPLOYEES

Recommended Action: Council adopt the resolution.

Approval of the Consent Calendar

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

Items 1-3, 5, 7, 9, and 12:

Yes: 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

ACTION:

Item 8:

Yes: 4 - Aguilar, Diaz, McCann and Padilla

No: 0

Abstain: 1 - Casillas Salas

ITEMS REMOVED FROM THE CONSENT CALENDAR

4. [18-0095](#) ORDINANCE NO. 3418 OF THE CITY OF CHULA VISTA ADDING CHULA VISTA MUNICIPAL CODE SECTION 5.19 TO REGULATE COMMERCIAL CANNABIS (SECOND READING AND ADOPTION)

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

-Damien Johnson

-Kelly McCormick, Carlsbad resident

-Kathleen Lippett, Poway resident

-Judy Strang

Council discussion ensued.

ACTION: A motion was made by Councilmember Aguilar, seconded by Mayor Casillas Salas, that Ordinance No. 3418 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Diaz, Padilla and Casillas Salas

No: 1 - McCann

Abstain: 0

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6. [17-0464](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.56 (PURCHASING SYSTEM) TO ADD JOB ORDER CONTRACTING (JOC) AS A PROCUREMENT METHOD AND ESTABLISH RELATED POLICIES AND PROCEDURES, ESTABLISH UNIFORM POLICIES AND PROCEDURES FOR DEVELOPER-PERFORMED PUBLIC WORKS, EXEMPT THE CITY'S PURCHASING SYSTEM FROM THE REQUIREMENTS OF THE CALIFORNIA PUBLIC CONTRACT CODE, AND PROVIDE FOR AUTOMATIC INDEXED ADJUSTMENTS TO JOC DOLLAR THRESHOLDS (FIRST READING) (4/5 VOTE REQUIRED)

Assistant Director of Public Works Quilantan responded to questions from Councilmember Padilla.

ACTION: A motion was made by Councilmember Padilla, seconded by Councilmember McCann, that the above ordinance be placed on first reading, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

PUBLIC COMMENTS

Steven Pavka, Chula Vista resident, spoke regarding gun control.

PUBLIC HEARINGS

10. [18-0039](#) RESOLUTION NO. 2018-040 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING AN AMENDMENT TO THE TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2016/2017 THROUGH 2020/2021

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.

Director of Engineering and Capital Projects Valle provided information on the item.

Mayor Casillas Salas opened the public hearing.

There being no members of the public who wished to speak, Mayor Casillas Salas closed the public hearing.

ACTION: A motion was made by Councilmember McCann, seconded by Deputy Mayor Diaz, that Resolution No. 2018-040 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

- 11. [18-0047](#) A. RESOLUTION NO. 2018-041 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING MITIGATED NEGATIVE DECLARATION IS15-0005/MPA15-0022, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM PURSUANT TO CEQA; AND APPROVING TENTATIVE MAP PCS16-0007 FOR THE OTAY RIVER BUSINESS PARK, SUBJECT TO THE CONDITIONS LISTED IN THIS RESOLUTION

B. ORDINANCE OF THE CITY OF CHULA VISTA CONSIDERING PREVIOUSLY APPROVED MITIGATED NEGATIVE DECLARATION IS15-0005/MPA15-0022 AND MITIGATION MONITORING AND REPORTING PROGRAM PURSUANT TO CEQA; AND APPROVING THE SPECIFIC PLAN AND RELATED REZONINGS FOR THE OTAY RIVER BUSINESS PARK FOR THE PURPOSE OF ALLOWING SUBDIVISION AND REDEVELOPMENT OF THE PROPERTY WITH AN INDUSTRIAL/COMMERCIAL BUSINESS PARK (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.

Sr. Planner Tapia gave a presentation on the item and responded to questions of the Council.

Mayor Casillas Salas opened the public hearing.

Peter Watry, Chula Vista resident, spoke in support of staff's recommendation.

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

ACTION: A motion was made by Deputy Mayor Diaz, seconded by Councilmember Aguilar, to adopt Resolution No. 2018-041 and place the above ordinance on first reading, headings read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

ACTION ITEMS

Item 12 was moved to the Consent Calendar by consensus of the council.

CITY MANAGER'S REPORTS

City Manager Halbert announced that the City's draft University Innovation District Master Plan and environmental documents were out for public review and he thanked staff for their work on the project.

MAYOR'S REPORTS

Mayor Casillas Salas announced Captain Norbert Stein's upcoming 105th birthday celebration. She reported on her attendance at the following recent events: 24-hour Give Back fundraising event at Seven Mile Casino, which benefitted South Bay Community Services; First Friday Breakfast on the topic of Public Safety; a celebration of life for Floyd Larry Wergeland, M.D.; the re-opening of the South Bay Veterinarian Hospital; and school safety meeting at Chula Vista High School. She stated she would attend an upcoming public safety forum at Camarena Elementary School.

COUNCILMEMBERS' COMMENTS

Councilmember Aguilar stated she had attended an age-friendly communities meeting and the Sweetwater Union High School safety forum, and she expressed the need for more School Resource Officers.

Councilmember Padilla congratulated Norbert Stein on his upcoming birthday. He spoke regarding the First Friday Breakfast, and the age-friendly community meeting, and stated that he would be attending the school safety forum at Camarena Elementary School.

Councilmember McCann expressed gratitude to Police Chief Kennedy and the Resource Officers at Chula Vista high schools, and stated he would be attending the upcoming school safety forum at Camarena Elementary School.

CITY ATTORNEY'S REPORTS

City Attorney Googins announced that the Council would convene in closed session to discuss the item listed below.

Mayor Casillas Salas recessed the meeting at 6:39 p.m. The Council reconvened in Closed Session at 6:45 p.m., with all members present.

CLOSED SESSION

- 13. [18-0101](#) CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54956.8

Property: Assessors Parcel Number (APN) 643-06-57-00
Agency Negotiators: Gary Halbert and Eric Crockett
Negotiating Parties: City of Chula Vista and Chesnut Properties
Under Negotiation: Price and Terms of Payment for Acquisition and Leaseback

There was no reportable action.

ADJOURNMENT

At 7:28 p.m., Mayor Casillas Salas adjourned the meeting to the Regular City Council Meeting on March 13, 2018, at 5:00 p.m., in the Council Chambers.

Kerry K. Bigelow, MMC, City Clerk