

City of Chula Vista

Meeting Minutes - Final

Tuesday, December 6, 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 5:05 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, Assistant City Clerk Bigelow and Deputy City Clerk Kansas

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Councilmember Bensoussan led the Pledge of Allegiance.

Mayor Casillas Salas stated that, regarding Item 11, the appellant had withdrawn his appeal and therefore the item would not be heard.

SPECIAL ORDERS OF THE DAY

- A.** [16-0547](#) OATH OF OFFICE
William Sears, Veterans Advisory Commission

Assistant City Clerk Bigelow administered the oath of office to Commissioner Sears, and Deputy Mayor Miesen presented him with a certificate of appointment.

- B.** [16-0548](#) SPECIAL RECOGNITION HONORING NEW UNITED STATES ARMY RECRUITS FROM CHULA VISTA

Mayor Casillas Salas honored the new U.S. Army Recruits from Chula Vista, who introduced themselves to the Council.

- C.** [16-0581](#) PRESENTATION OF A PROCLAMATION PROCLAIMING TUESDAY, DECEMBER 6, 2016 AS LIEUTENANT COMMANDER HENRY A MARTINEZ II DAY IN THE CITY OF CHULA VISTA

Mayor Casillas Salas read the proclamation and Councilmember McCann presented it to Lieutenant Commander Martinez II.

- D.** [16-0582](#) PRESENTATION OF A PROCLAMATION COMMENDING MR. FROYLAN VILLANUEVA FOR HIS EXEMPLARY SERVICES IN HONORING OUR VETERANS PARADE MISSION

Mayor Casillas Salas read the proclamation and Councilmember Aguilar presented it to Mr. Villanueva.

- E. [16-0584](#) PRESENTATION OF A PROCLAMATION TO PUBLIC WORKS EMPLOYEE AGNES BERNARDO FOR 30 YEARS OF EXEMPLARY SERVICES TO THE CITY OF CHULA VISTA

Mayor Casillas Salas read the proclamation and Councilmember Bensoussan presented it to Agnes Bernardo.

Mark Twohey, representing the Youth Sports Council, paid tribute to Agnes Bernardo.

- F. [16-0583](#) PRESENTATION OF A PROCLAMATION TO PUBLIC WORKS EMPLOYEE LARRY SHROYER FOR 23 YEARS OF EXEMPLARY SERVICES TO THE CITY OF CHULA VISTA

Mayor Casillas Salas read the proclamation and Deputy Mayor Miesen presented it to Larry Schroyer.

CONSENT CALENDAR (Items 1 - 10)

1. [16-0567](#) APPROVAL OF MINUTES of November 15, 2016.

Recommended Action: Council approve the minutes.

2. [16-0587](#) WRITTEN COMMUNICATIONS

Letter of resignation from Christopher Ramirez, Veteran Advisory Commission

Recommended Action: Council accept the resignation.

3. [16-0555](#) A. ORDINANCE NO. 3382 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.06 OF THE CHULA VISTA MUNICIPAL CODE, ADMINISTRATIVE PROVISIONS FOR THE TECHNICAL BUILDING CODES (SECOND READING AND ADOPTION)

B. ORDINANCE NO. 3383 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.08 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA BUILDING CODE, 2016 EDITION (SECOND READING AND ADOPTION)

C. ORDINANCE NO. 3384 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.09 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA RESIDENTIAL CODE, 2016 EDITION (SECOND READING AND ADOPTION)

D. ORDINANCE NO. 3385 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.10 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA REFERENCED STANDARDS CODE, 2016 EDITION (SECOND READING AND ADOPTION)

E. ORDINANCE NO. 3386 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.12 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2016 EDITION (SECOND READING AND ADOPTION)

F. ORDINANCE NO. 3387 OF THE CITY OF CHULA VISTA ADOPTING CHAPTER 15.14 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA EXISTING BUILDING CODE, 2016 EDITION (SECOND READING AND ADOPTION)

G. ORDINANCE NO. 3388 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.16 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA MECHANICAL CODE, 2016 EDITION (SECOND READING AND ADOPTION)

H. ORDINANCE NO. 3389 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.24 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA ELECTRICAL CODE, 2016 EDITION (SECOND READING AND ADOPTION)

I. ORDINANCE NO. 3390 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.26 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA ENERGY CODE, 2016 EDITION (SECOND READING AND ADOPTION)

J. ORDINANCE NO. 3391 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.28 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA PLUMBING CODE, 2016 EDITION (SECOND READING AND ADOPTION)

K. ORDINANCE NO. 3392 OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.36 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA FIRE CODE, 2016 EDITION (SECOND READING AND ADOPTION)

Recommended Action: Council adopt the ordinances.

4. [16-0556](#)

ORDINANCE NO. 3393 OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE CHAPTERS 2.25, 2.33, AND 2.53 TO REVISE THE QUALIFICATION REQUIREMENTS AND APPOINTMENT PROCESS APPLICABLE TO THE CITY'S CULTURAL ARTS COMMISSION (SECOND READING AND ADOPTION)

Recommended Action: Council adopt the ordinance.

5. [16-0468](#) A. RESOLUTION NO. 2016-242 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MODIFYING THE APPENDIX TO THE LOCAL CONFLICT OF INTEREST CODE TO AMEND THE LIST OF OFFICIALS, CANDIDATES AND DESIGNATED EMPLOYEES WHO ARE REQUIRED TO FILE PERIODIC STATEMENTS OF ECONOMIC INTERESTS AND THE DISCLOSURE CATEGORIES FOR SAID FILERS, AND DESIGNATING THOSE FILERS AS "LOCAL AGENCY OFFICIALS" FOR PURPOSES OF AB 1234, THEREBY REQUIRING THEM TO PARTICIPATE IN MANDATED ETHICS TRAINING
- B. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE SECTION 2.02.030 RELATING TO THE CONFLICT OF INTEREST CODE OF THE CITY OF CHULA VISTA (FIRST READING)
- Recommended Action:** Council adopt the resolution and place the ordinance on first reading.
6. [16-0503](#) RESOLUTION NO. 2016-243 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND NV5, INC. TO PROVIDE ADVERTISING AND MARKETING SERVICES TO DEVELOP AND IMPLEMENT AN ADVERTISING/ AWARENESS/ PERCEPTION CAMPAIGN, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE SAME, AND APPROVING UP TO THREE, ONE-YEAR ADMINISTRATIVE EXTENSIONS
- Recommended Action:** Council adopt the resolution.
7. [16-0496](#) RESOLUTION NO. 2016-244 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE CITY OF CHULA VISTA CAFETERIA BENEFITS PLAN FOR 2017
- Recommended Action:** Council adopt the resolution.
8. [16-0471](#) A. RESOLUTION NO. 2016-245 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA (1) AMENDING THE COMPENSATION SCHEDULE AND CLASSIFICATION PLAN TO REFLECT THE ADDITION AND REMOVAL OF VARIOUS POSITION TITLES; (2) AMENDING THE AUTHORIZED POSITION COUNT IN THE POLICE DEPARTMENT WITH NO NET CHANGE IN AUTHORIZED STAFFING; AND (3) ELIMINATING A-STEP SALARY FOR THE RECREATION AIDE CLASSIFICATION THEREBY SETTING THE STARTING SALARY AT B-STEP TO ENSURE COMPLIANCE WITH THE STATE'S MINIMUM WAGE LAW

B. RESOLUTION NO. 2016-246 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE COMPENSATION SCHEDULE TO REFLECT A SALARY INCREASE FOR CITY ATTORNEY (ELECTED) IN ACCORDANCE WITH SECTION 503(C) OF THE CITY OF CHULA VISTA CITY CHARTER

C. RESOLUTION NO. 2016-247 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2016-2017 COMPENSATION SCHEDULE EFFECTIVE NOVEMBER 25, 2016, AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5, REFLECTING CORRECT SALARY FOR POLICE RECRUIT

D. RESOLUTION NO. 2016-248 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2016-2017 COMPENSATION SCHEDULE EFFECTIVE DECEMBER 9, 2016, AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5, REFLECTING SALARY FOR CITY ATTORNEY AND ADDITIONS OF IT TECHNICIAN AND POLICE TECHNOLOGY MANAGER CLASSIFICATIONS (AND ATTENDANT SALARIES) AND REMOVAL OF SENIOR POLICE TECHNOLOGY SPECIALIST CLASSIFICATION

E. RESOLUTION NO. 2016-249 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2016-2017 COMPENSATION SCHEDULE EFFECTIVE DECEMBER 23, 2016, AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5, REFLECTING ELIMINATION OF A-STEP SALARY FOR RECREATION AIDE, THEREBY BEGINNING SALARY AT B-STEP TO COMPLY WITH STATE MINIMUM WAGE LAWS

F. RESOLUTION NO. 2016-250 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE REVISED FISCAL YEAR 2016-2017 COMPENSATION SCHEDULE EFFECTIVE JANUARY 6, 2017, AS REQUIRED BY CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5, REFLECTING MOU REQUIRED SALARY INCREASE FOR POSITIONS REPRESENTED BY CHULA VISTA POLICE OFFICERS' ASSOCIATION

Recommended Action: Council adopt the resolutions.

9. [16-0475](#)

RESOLUTION NO. 2016-251 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING A CONTRACT FOR THE "INTERNALLY ILLUMINATED SNS [STREET NAME SIGNS] CONVERSION PROGRAM FY 2015/16 (CIP NO. TF393)" PROJECT TO CTE, INC. IN THE AMOUNT OF \$95,100

Recommended Action: Council adopt the resolution.

- 10. [16-0530](#) RESOLUTION NO. 2016-252 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ORDERING THE SUMMARY VACATION OF THE IRREVOCABLE OFFER OF DEDICATION OF LOT "D" FOR PUBLIC PARK PURPOSES PER FINAL MAP NO. 16081, CHULA VISTA TRACT NO. 09-03, OTAY RANCH MILLENIA PHASE 2 (EASTERN URBAN CENTER)

Recommended Action: Council adopt the resolution.

Approval of the Consent Calendar

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Bensoussan, 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

There were none.

PUBLIC COMMENTS

Elroy Kihano, Chula Vista resident, expressed concern regarding the passage of Proposition 64, related to recreational use of marijuana, and spoke in support of the Council adopting regulations related to marijuana dispensaries.

Laurel White, Chula Vista resident, expressed concern regarding vehicular traffic in the neighborhood around Hilltop High School.

The following members of the public spoke in support of the City pursuing the designation of Sanctuary City:

- Arturo Martinez, Chula Vista resident, representing ACCE
- Lileana Robles, Chula Vista resident, representing ACCE
- Nohelia Ramos, Chula Vista resident, representing ACCE

Jane Underwood, Chula Vista resident, expressed concern regarding traffic in the area of Whitney and Mankato Streets during the "Christmas Circle" community holiday lights event. She spoke in support of implementing traffic mitigation measures to address the issues.

At the request of Councilmember Aguilar, there was consensus of the Council to make a referral to staff to look into Ms. Underwood's concerns regarding Christmas Circle.

PUBLIC HEARINGS

- 11. [16-0554](#) CONSIDERATION OF THE DECISION OF THE CHIEF OF POLICE AND FINDING REGARDING AN ALCOHOLIC BEVERAGE LICENSE AT A 99 CENTS ONLY STORE LOCATED ON THIRD AVENUE

A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AFFIRMING THE DECISION OF THE CHIEF OF POLICE AND FINDING THAT AN ALCOHOLIC BEVERAGE LICENSE AT 1030 THIRD AVENUE (99 CENTS ONLY STORE) DOES NOT SERVE PUBLIC CONVENIENCE OR NECESSITY

- OR -

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA REVERSING THE DECISION OF THE CHIEF OF POLICE AND FINDING THAT AN ALCOHOLIC BEVERAGE LICENSE AT 1030 THIRD AVENUE (99 CENTS ONLY STORE) SERVES PUBLIC CONVENIENCE OR NECESSITY

Mayor Casillas Salas stated that the appellant had withdrawn the appeal and, as a result, the item would not be considered.

12. [16-0442](#) CONSIDERATION OF AN ADDENDUM TO FINAL EIR 13-01; AMENDMENTS TO CHULA VISTA GENERAL PLAN, OTAY RANCH GENERAL DEVELOPMENT PLAN, OTAY RANCH VILLAGE 3 NORTH AND PORTION OF VILLAGE 4 SPA PLAN, AND PLANNED COMMUNITY DISTRICT REGULATIONS; AND RELATED TENTATIVE MAP AND AGREEMENTS

A. RESOLUTION NO. 2016-253 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA CONSIDERING THE ADDENDUM TO FEIR 13-01; APPROVING AMENDMENTS TO THE CHULA VISTA GENERAL PLAN AND THE OTAY RANCH GENERAL DEVELOPMENT PLAN TO REFLECT PROPOSED CHANGES TO THE SECTIONAL PLANNING AREA PLAN FOR OTAY RANCH VILLAGE 3 NORTH AND A PORTION OF VILLAGE 4

B. RESOLUTION NO. 2016-254 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A SECTIONAL PLANNING AREA AMENDMENT (MPA16-0008) FOR THE OTAY RANCH VILLAGE 3 NORTH AND A PORTION OF VILLAGE 4 PROJECT, SUBJECT TO THE CONDITIONS CONTAINED IN THIS RESOLUTION

C. RESOLUTION NO. 2016-255 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING TENTATIVE MAP CVT-16-02 (PCS16-0002) FOR THE OTAY RANCH VILLAGE 3 NORTH AND A PORTION OF VILLAGE 4 PROJECT, SUBJECT TO THE CONDITIONS CONTAINED IN THIS RESOLUTION

D. ORDINANCE OF THE CITY OF CHULA VISTA APPROVING AMENDMENTS TO THE OTAY RANCH VILLAGE 3 NORTH AND A PORTION OF VILLAGE 4 SECTIONAL PLANNING AREA (VILLAGE 3 SPA) PLAN'S PLANNED COMMUNITY DISTRICT REGULATIONS TO MODIFY ZONING, CLARIFY DEVELOPMENT STANDARDS, REVISE REQUIREMENTS, AND ADD PERFORMANCE STANDARDS IN COMPLIANCE WITH THE AMENDED SPA PLAN FOR VILLAGE 3 (FIRST READING)

E. RESOLUTION NO. 2016-256 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE COMMUNITY PURPOSE FACILITIES AGREEMENT FOR OTAY RANCH VILLAGE 3 BETWEEN THE CITY AND HOMEFED VILLAGE III MASTER, LLC.

F. RESOLUTION NO. 2016-257 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT REGARDING CONSTRUCTION OF NEIGHBORHOOD PARK P-1 IN OTAY RANCH VILLAGE 3 AND A PORTION OF COMMUNITY PARK P-2 IN OTAY RANCH VILLAGE 4 BETWEEN THE CITY AND HOMEFED VILLAGE III MASTER, LLC.

G. RESOLUTION NO. 2016-258 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A BALANCED COMMUNITIES AFFORDABLE HOUSING AGREEMENT FOR OTAY RANCH VILLAGE 3 BETWEEN THE CITY AND HOMEFED VILLAGE III MASTER, LLC.

H. RESOLUTION NO. 2016-259 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AFFORDABLE HOUSING TRANSFER AGREEMENT BETWEEN THE CITY AND HOMEFED VILLAGE III MASTER, LLC, TRANSFERRING A PORTION OF THE VILLAGE 3 AFFORDABLE HOUSING UNIT OBLIGATION TO VILLAGE 8

I. RESOLUTION NO. 2016-260 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A GRANT OF EASEMENTS, LICENSE AND MAINTENANCE AGREEMENT FOR OTAY RANCH VILLAGE 3 AND A PORTION OF VILLAGE 4 SECTIONAL PLANNING AREA (VILLAGE 3) BETWEEN THE CITY AND HOMEFED VILLAGE III MASTER, LLC.

J. RESOLUTION NO. 2016-261 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A BASIN MAINTENANCE AGREEMENT FOR OTAY RANCH VILLAGE 3 AND A PORTION OF VILLAGE 4 SECTIONAL PLANNING AREA (VILLAGE 3) BETWEEN THE CITY AND HOMEFED VILLAGE III MASTER, LLC.

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 Miesen stated he would abstain from participating and voting on Items 12 and 13 due to a potential conflict of interest related to a business entity in which he had a financial interest. He left the dais at 5:51 p.m.

Mayor Casillas Salas opened the public hearing.

Kent Aden, applicant, representing HomeFed, 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 Councilmember McCann, seconded by Councilmember Aguilar, that Resolution Nos. 2016-253, 2016-254, 2016-255 as amended, 2016-256, 2016-257, 2016-258, 2016-259, 2016-260, and 2016-261 be adopted, and the above ordinance (Item 12D) be placed on first reading, headings read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 1 - Miesen

13. [16-0490](#) CONSIDERATION OF APPROVING THE DESIGN REVIEW APPLICATION FOR THE ASSOCIATED MILLENIA RETAIL CENTER PROJECT BY SUDBERRY DEVELOPMENT AND AMENDING THE EASTERN URBAN CENTER SECTIONAL PLANNING AREA PLAN TO CHANGE THE AVERAGE BUILDING HEIGHT REQUIREMENT IN A PORTION OF DISTRICT 1

A. RESOLUTION NO. 2016-262 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A DESIGN REVIEW PERMIT (DR16-0003) TO CONSTRUCT A 130,801 SQUARE FOOT RETAIL CENTER WITH 585 PARKING SPACES ON 12.5 ACRES WITHIN THE MILLENIA MASTER PLANNED COMMUNITY

B. ORDINANCE OF THE CITY OF CHULA VISTA APPROVING AMENDMENTS TO THE EASTERN URBAN CENTER SECTIONAL PLANNING AREA (SPA) PLAN TO CHANGE THE BUILDING HEIGHT REQUIREMENTS WITHIN A PORTION OF DISTRICT 1 (MPA16-0003) (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.

Deputy Mayor Miesen had previously stated he would abstain from participating and voting on Item 13 due to a potential conflict of interest related to a business entity in which he had a financial interest. He remained away from the dais during discussion and voting on the item.

Landscape Architect Ferman and Associate Planner Steichen gave a presentation 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 Mayor Casillas Salas, seconded by Councilmember Bensoussan, that Resolution No. 2016-262 be adopted and the above ordinance (Item 13B) be placed on first reading, 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 6:16 p.m.

ACTION ITEMS

14. [16-0550](#) CONSIDERATION OF APPROVING THE EXPENDITURE PLAN, CREATING NEW CAPITAL IMPROVEMENT PROJECTS, APPROPRIATING FUNDS, AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AGREEMENTS RELATED TO MEASURE P, THE TEMPORARY HALF-CENT SALES TAX

A. RESOLUTION NO. 2016-263 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE CITY COUNCIL INFRASTRUCTURE, FACILITIES AND EQUIPMENT EXPENDITURE PLAN; ESTABLISHING NEW CAPITAL IMPROVEMENT PROJECTS, "STREET PAVEMENT CITYWIDE (MEASURE P)" (STL421) AND "DESIGN OF FIRE STATIONS (MEASURE P)" (GG229); AND MAKING VARIOUS AMENDMENTS TO THE FISCAL YEAR 2016/17 OPERATING AND CIP PROGRAM BUDGETS APPROPRIATING FUNDS FOR ELIGIBLE MEASURE P SALES TAX EXPENSES (4/5 VOTE REQUIRED)

B. RESOLUTION NO. 2016-264 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO NEGOTIATE LEASE PURCHASE AGREEMENTS FOR EQUIPMENT AS APPROVED WITHIN THE INFRASTRUCTURE, FACILITIES AND EQUIPMENT EXPENDITURE PLAN; WAIVING THE COMPETITIVE FORMAL BID REQUIREMENT AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO NEGOTIATE AND EXECUTE TWO-PARTY AGREEMENTS BETWEEN THE CITY OF CHULA VISTA AND HARRELL AND COMPANY ADVISORS, LLC TO PROVIDE FINANCIAL ADVISORY SERVICES AND BETWEEN THE CITY OF CHULA VISTA AND J.P. MORGAN CHASE TO PROVIDE UNDERWRITING SERVICES FOR THE PROPOSED ISSUANCE OF TRANSACTIONS AND USE TAX REVENUE BONDS

Deputy City Manager Kachadoorian gave a presentation on the item. She stated an amended resolution had been provided to the Council to include the establishment of an additional capital improvement project related to sod and soil additives at sports fields.

ACTION: A motion was made by Mayor Casillas Salas, seconded by Deputy Mayor Miesen, that Resolution No. 2016-263 as amended, and 2016-264 be adopted, headings read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 0

15. [16-0551](#) CONSIDERATION OF ADOPTING A CITY COUNCIL POLICY TO ESTABLISH A DISABLED VETERANS AND SMALL BUSINESS ENTERPRISE PROGRAM

RESOLUTION NO. 2016-265 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING A CITY COUNCIL POLICY ESTABLISHING A DISABLED VETERANS AND SMALL BUSINESS ENTERPRISE PROGRAM

Finance Director Bilby provided information on the item.

ACTION: A motion was made by Councilmember McCann, seconded by Mayor Casillas Salas, that Resolution No. 2016-265 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

16. [16-0568](#) CONSIDERATION OF ESTABLISHING A CITIZENS' OVERSIGHT COMMITTEE AS REQUIRED BY MEASURE P

ORDINANCE OF THE CITY OF CHULA VISTA ADDING CHULA VISTA MUNICIPAL CODE CHAPTER 2.61 - "MEASURE P" CITIZENS' OVERSIGHT COMMITTEE (FIRST READING)

City Manager Halbert provided information regarding the item.

Council discussion ensued.

Pada Martinez-Montes, Chula Vista resident, representing ACCE, submitted a request to speak but was not present.

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Aguilar, that the proposed ordinance be amended to add two additional Designated Member seats, which would be nominated, one each, by the Chula Vista Fire Chief and the Chula Vista Police Chief. The motion carried by the following vote:

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

No: 0

Abstain: 0

ACTION: A motion was made by Mayor Casillas Salas, seconded by Councilmember Bensoussan, that the proposed ordinance be further amended to add two additional Designated Member seats, which would be nominated, one each, by the Alliance of Californians for Community Empowerment (San Diego branch) and the San Diego and Imperial Counties Labor Council. The motion carried by the following vote:

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

No: 0

Abstain: 0

ACTION: A motion was made by Mayor Casillas Salas, seconded by Councilmember Bensoussan, that the proposed ordinance be further amended to add one additional At-large Member seat, which would be filled by a resident of any one of the four districts, and that the appointment process detailed in the proposed ordinance be approved as presented. The motion carried by the following vote:

Yes: 3 - Bensoussan, Miesen and Casillas Salas

No: 2 - Aguilar and McCann

Abstain: 0

There was consensus of the Council to make a referral to staff to research options regarding prohibiting candidates from serving on the committee for potential revision of the ordinance at a future date.

ACTION: A motion was made by Mayor Casillas Salas, seconded by Deputy Mayor Miesen, that the ordinance be placed on first reading, as amended, heading read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 0

CITY MANAGER'S REPORTS

There were none.

MAYOR'S REPORTS

Mayor Casillas Salas paid tribute to Betsy Keller and stated the meeting would be adjourned in Ms. Keller's memory.

COUNCILMEMBERS' COMMENTS

Councilmember McCann paid tribute to Betsy Keller. He spoke regarding the recent ribbon cuttings and grand openings of the Eastlake Speed Circuit and the AAMCO on Broadway. Councilmember McCann thanked Councilmember Aguilar and Deputy Mayor Miesen for chairing the Starlight Parade subcommittee and spoke regarding the event. He reported on a recent speaking engagement for Boy Scouts Troop 1194, a community watch program meeting, and the YMCA Youth in Government event.

Deputy Mayor Miesen spoke regarding the recent Starlight Parade. He thanked event sponsors and those who assisted with the planning. Deputy Mayor Miesen also reported on his attendance at the recent YMCA Youth in Government event.

Mayor Casillas Salas thanked Councilmember Aguilar for her efforts related to reinstating the Starlight Parade and for Councilmember Aguilar and Deputy Mayor Miesen's work on the 2016 parade.

Councilmember Bensoussan congratulated Councilmembers-elect Diaz and Padilla. She announced the upcoming opening of the cultural arts space at City Hall and the awards presentation for the We Are Chula Vista photography contest. Councilmember Bensoussan stated that a bench had been installed at the dog park at Eucalyptus Park using donated funds.

Councilmember Aguilar reported on the recent Starlight Parade. She also spoke regarding the development of the F Street Promenade Master Plan.

City Attorney Googins announced that the Council would convene in closed session to discuss Item 18 below. He stated Item 17 would be continued to a future date.

Mayor Casillas Salas recessed the meeting at 7:31 p.m. The Council reconvened in Closed Session at 7:40 p.m., with all members present.

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.

17. [16-0522](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)

Name of case: David Mitchell v. City of Chula Vista, San Diego Superior Court, Case No. 37-2015-00030488-CU-WT-CTL

Item 17 was not discussed and was continued to a future date.

18. [16-0564](#) CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6

Agency designated representatives:

Gary Halbert, Glen Googins, Kelley Bacon, Courtney Chase, Maria Kachadoorian, Simon Silva, Harry Muns and David Bilby

Employee organization:

International Association of Firefighters (IAFF)

ACTION: No reportable action.

ADJOURNMENT

At 7:55 p.m., Mayor Casillas Salas adjourned the meeting in memory of Betsy Keller, to the Regular City Council Meeting on December 13, 2016, at 5:00 p.m., in the Council Chambers, and thence to the Special City Council Meeting on December 13, 2016, at 6:00 p.m., in the Council Chambers.

Kerry K. Bigelow, Assistant City Clerk