

City of Chula Vista

Meeting Minutes - Final

Tuesday, October 4, 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

Councilmember Aguilar led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

- A. [16-0464](#) OATH OF OFFICE
Jose Torres, Veterans Advisory Commission

City Clerk Norris administered the oath of office to Commissioner Torres, and Councilmember McCann presented him with a certificate of appointment.

- B. [16-0460](#) PRESENTATION OF A PROCLAMATION TO SENIOR RECYCLING SPECIALIST MANUEL MEDRANO, SENIOR PROJECT COORDINATOR CRAIG RUIZ AND PROJECT COORDINATOR MARIANA GARCIA PROCLAIMING OCTOBER 4TH, 2016 AS NATIONAL MANUFACTURING DAY IN THE CITY OF CHULA VISTA

Mayor Casillas Salas read the proclamation and Deputy Mayor Miesen presented it to Senior Recycling Specialist Medrano, Senior Project Coordinator Ruiz, and Project Coordinator Garcia.

- C. [16-0457](#) PRESENTATION OF A PROCLAMATION TO SOUTH BAY COMMUNITY SERVICES' DIRECTOR OF COMMUNICATIONS & EXTERNAL AFFAIRS PATTY CHAVEZ, DECLARING OCTOBER AS "DOMESTIC VIOLENCE AWARENESS MONTH" AND SOUTH BAY COMMUNITY SERVICES' ACKNOWLEDGMENT OF "CHANGE THEIR LIVES" AND "DINE AGAINST DOMESTIC VIOLENCE" AS EVENTS TO RAISE AWARENESS OF DOMESTIC VIOLENCE AND SUPPORT SERVICES THAT HEAL AND END THE CYCLE OF VIOLENCE

Mayor Casillas Salas read the proclamation and Councilmember Bensoussan presented it to Kathy Lembo, President/CEO, South Bay Community Services. Ms. Lembo spoke regarding the organization's programs and events to raise awareness and support victims of domestic violence.

CONSENT CALENDAR (Items 1 - 5)

1. [16-0461](#) APPROVAL OF MINUTES of September 13, and 20, 2016.

Recommended Action: Council approve the minutes.

2. [16-0428](#) RESOLUTION NO. 2016-195 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE FORMAL BID REQUIREMENT TO RECEIVE SERVICES FROM DION INTERNATIONAL TRUCKS AND FROM SOUTH COAST EMERGENCY VEHICLE SERVICES FOR REPAIRS TO FIRE-FIGHTING TRUCKS

Recommended Action: Council adopt the resolution.

3. [16-0439](#) RESOLUTION NO. 2016-196 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING YEAR THREE OF A SUB-AWARD AGREEMENT WITH COMMUNITY HEALTH IMPROVEMENT PARTNERS FOR THE RACIAL AND ETHNIC APPROACHES TO COMMUNITY HEALTH PROJECT, AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND THE CITY MANAGER TO EXECUTE ALL OTHER DOCUMENTS NECESSARY TO IMPLEMENT THE AGREEMENT, AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

4. [16-0274](#) A. RESOLUTION NO. 2016-197 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING A BOUNDARY MAP SHOWING THE BOUNDARIES OF THE TERRITORY PROPOSED FOR THE INCLUSION IN PROPOSED COMMUNITY FACILITIES DISTRICT NO.18M (OTAY RANCH VILLAGE 3)

B. RESOLUTION NO. 2016-198 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DECLARING ITS INTENTION TO ESTABLISH COMMUNITY FACILITIES DISTRICT NO. 18M (OTAY RANCH VILLAGE 3), AUTHORIZE THE LEVY OF A SPECIAL TAX THEREIN TO FINANCE CERTAIN SERVICES, SET THE PUBLIC HEARING TO CONSIDER THE ESTABLISHMENT OF THE PROPOSED DISTRICT, AND ORDER THE PREPARATION OF A CFD REPORT

C. RESOLUTION NO. 2016-199 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING A BOUNDARY MAP SHOWING TERRITORY PROPOSED TO BE AUTHORIZED FOR ANNEXATION IN THE FUTURE INTO COMMUNITY FACILITIES DISTRICT NO.18M (OTAY RANCH VILLAGE 3)

D. RESOLUTION NO. 2016-200 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DECLARING ITS INTENTION TO AUTHORIZE THE ANNEXATION IN THE FUTURE TO COMMUNITY FACILITIES DISTRICT NO. 18M (OTAY RANCH VILLAGE 3)

Recommended Action: Council adopt the resolutions.

5. [16-0447](#) RESOLUTION NO. 2016-201 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACKNOWLEDGING GRANT REQUIREMENTS OF SANDAG TO IMPLEMENT AN EIGHTEEN MONTH COASTAL CACTUS WREN HABITAT RESTORATION PROGRAM WITHIN THE CHULA VISTA OTAY RANCH PRESERVE MANAGEMENT AREA, AUTHORIZING ACCEPTANCE OF THE GRANT FUNDING SHOULD IT BE AWARDED FROM SANDAG, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT AGREEMENT WITH SANDAG

Recommended Action: Council adopt the resolution.

Approval of the Consent Calendar

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

Steven Pavka, Chula Vista resident, expressed concern regarding fees charged to senior citizens.

PUBLIC HEARINGS

6. [16-0393](#) CONSIDERATION OF APPROVING EIR 15-0002 FOR THE SHARP OCEAN VIEW TOWER PROJECT; A PRECISE PLAN TO ALLOW A MAXIMUM HEIGHT OF 120 FEET (45 FEET MAXIMUM CURRENTLY ALLOWED) TO ACCOMMODATE THE HOSPITAL TOWER; A DESIGN REVIEW PERMIT (DR-15-0030) TO CONSTRUCT THE HOSPITAL TOWER; AND A CONDITIONAL USE PERMIT (CUP 15-0025) TO ALLOW FOR THE EXPANSION OF THE EXISTING HOSPITAL CAMPUS AT 751 MEDICAL CENTER COURT

A. RESOLUTION NO. 2016-202 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR 15-0002/SCH2016021010) FOR THE SHARP OCEAN VIEW TOWER PROJECT; MAKING CERTAIN FINDINGS OF FACT; AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

B. ORDINANCE OF THE CITY OF CHULA VISTA APPROVING A PRECISE PLAN (MPA 15-0021) TO ALLOW A HEIGHT OF 120 FEET TO ACCOMMODATE A PROPOSED HOSPITAL TOWER TO BE LOCATED AT THE NORTHERN EDGE OF THE HOSPITAL CAMPUS LOCATED AT 751 MEDICAL CENTER COURT (FIRST READING)

C. RESOLUTION NO. 2016-203 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA GRANTING A DESIGN REVIEW PERMIT (DR 15-0030) FOR A PROPOSED HOSPITAL TOWER ON A SITE LOCATED AT 751 MEDICAL CENTER COURT

D. RESOLUTION NO. 2016-204 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE CONDITIONAL USE PERMIT (CUP 15-0025) TO PERMIT THE EXPANSION OF THE EXISTING HOSPITAL USE LOCATED AT 751 MEDICAL CENTER COURT IN THE CITY OF CHULA VISTA

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 and Councilmember McCann stated they would abstain from participating and voting on the item due to potential conflicts of interest related to business entities in which they had financial interests. They left the dais at 5:24 p.m.

Principal Planner Power gave a presentation on the item.

Mayor Casillas Salas opened the public hearing.

In response to a question from Mayor Casillas Salas, Pat Nemeth, representing Sharp Healthcare, stated some lighting fixtures had been modified to address a resident's concern.

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 Nos. 2016-202, 2016-203, and 2016-204 be adopted and the above ordinance be placed on first reading, headings read, text waived. The motion carried by the following vote:

Yes: 3 - Aguilar, Bensoussan and Casillas Salas

No: 0

Abstain: 2 - McCann and Miesen

Deputy Mayor Miesen and Councilmember McCann returned to the dais at 5:43 p.m.

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7. [16-0396](#) CONSIDERATION OF WAIVING AN IRREGULARITY IN THE BID RECEIVED FOR THE "PAVEMENT MINOR REHABILITATION FY15/16 (STL409)" PROJECT PER CITY CHARTER SECTION 1009

RESOLUTION NO. 2016-205 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS, WAIVING A MINOR BID IRREGULARITY, AND AWARDING A CONTRACT FOR THE "PAVEMENT MINOR REHABILITATION FY15/16 (STL409)" PROJECT TO PAL GENERAL ENGINEERING, INC. IN THE AMOUNT OF \$1,179,402.35 AND APPROPRIATING \$29,755 FROM THE AVAILABLE BALANCE OF THE TRANSPORTATION PARTNERSHIP FUND TO STL409 (4/5 VOTE REQUIRED)

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.

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 Councilmember Aguilar, that Resolution No. 2016-205 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

CITY MANAGER'S REPORTS

City Manager Halbert spoke regarding a Beacon Spotlight Award that would be presented to the City for reducing agency greenhouse gasses to a platinum level.

MAYOR'S REPORTS

Mayor Casillas Salas spoke regarding her recent visit to Chula Vista's sister city, Odawara, Japan.

COUNCILMEMBERS' COMMENTS

Deputy Mayor Miesen spoke regarding the City's receipt of the Beacon Award. He announced an upcoming fundraiser benefitting South Bay Community Services.

Councilmember McCann announced that the next LakeFest event would be held on May 6, 2017. He spoke regarding awareness efforts for ovarian and breast cancers, and his attendance at the recent police forum. He stated he would be hosting a community forum on October 5.

Councilmember Bensoussan announced the upcoming Ribbons and Shovels award ceremony.

City Attorney Googins announced the upcoming AB1234 ethics training session that his office would present.

City Attorney Googins announced that the Council would convene in closed session to discuss the items listed below. At 5:58 p.m., the Council convened in closed session.

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.

8. [16-0472](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)

Name of case: Chula Vista Animal Care Facility v. Vernon Coston, San Diego Superior Court, Case No. 37-2015-00037598-CU-FR-CTL

ACTION: Reportable action is pending finalization of settlement.

ADJOURNMENT

At 6:23 p.m., Mayor Casillas Salas adjourned the meeting to the Regular City Council Meeting on October 11, 2016, at 5:00 p.m.

Kerry K. Bigelow, Assistant City Clerk