

City of Chula Vista

Meeting Minutes - Draft

Tuesday, May 6, 2014

2:00 PM

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

REGULAR MEETINGS OF THE CITY COUNCIL AND SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA

CALL TO ORDER

Regular Meetings of the City Council and the Successor Agency to the Redevelopment Agency of the City of Chula Vista were called to order at 2:04 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.

ROLL CALL:

Present: Deputy Mayor Aguilar, Councilmember Bensoussan, Councilmember Ramirez, Councilmember Salas and Mayor Cox

Also Present: City Manager Sandoval, City Attorney Googins, City Clerk Norris, and Assistant City Clerk Bigelow

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Principal Management Analyst Nguyen led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

- A. 14-0257** PRESENTATION BY FINANCE DIRECTOR MARIA KACHADOORIAN, OF EMPLOYEE OF THE MONTH TESSA NGUYEN, PRINCIPAL MANAGEMENT ANALYST

Finance Director Kachadoorian introduced employee of the month, Tessa Nguyen. Mayor Cox read the proclamation and Deputy Mayor Aguilar presented it to Ms. Nguyen.

- B. 14-0250** PRESENTATION OF A PROCLAMATION TO CHULA VISTA POLICE DEPARTMENT AGENT MATT HARDESTY PROCLAIMING MAY 15, 2014 AS PEACE OFFICERS MEMORIAL DAY IN THE CITY OF CHULA VISTA

Chief Bejarano spoke regarding Peace Officers Memorial Day in Chula Vista. Mayor Cox read the proclamation and Councilmember Ramirez presented it to Agent Hardesty.

- C. 14-0277** PRESENTATION OF A PROCLAMATION TO ELKS LODGE 2011 PROCLAIMING MAY 1 THROUGH MAY 7, 2014 AS YOUTH WEEK IN CHULA VISTA

Phillip Byrd, Exalted Ruler of Elks Lodge 2011, spoke regarding the Elks Lodge and Youth Week. Mayor Cox read the proclamation and Councilmember Bensoussan presented it to Mr. Byrd and representatives of Elks Lodge 2011.

- D. 14-0232** PRESENTATION OF A PROCLAMATION TO NORMAN PARK SENIOR CENTER MEMBERS CLARA SCHOLLIAN, NENA RODRIGUEZ AND JOANNE SCOTT PROCLAIMING MAY 2014 AS OLDER AMERICANS MONTH IN THE CITY OF CHULA VISTA

Mayor Cox read the proclamation and Councilmember Salas presented it to Recreation Director McClure, who accepted it on behalf of the members of the Norman Park Senior Center.

- E. 14-0138** PRESENTATION OF A CLIMATE LEADERSHIP AWARD BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY TO CHULA VISTA'S MULTI-DEPARTMENTAL CLIMATE ACTION PROGRAM TEAM

David Fege, representing the U.S. Environmental Protection Agency, presented Chula Vista's Climate Action Program team with the Climate Leadership Award.

- F. 14-0213** PRESENTATION OF A PROCLAMATION TO SAN DIEGO I-COMMUTE MARKETING ANALYST JOSHUA ELIANO AND CITY OF CHULA VISTA STAFF MEMBERS PROCLAIMING MAY AS NATIONAL BIKE MONTH IN THE CITY OF CHULA VISTA

Paula Zamudio, representing SANDAG's I-Commute program provided information on Bike to Work Week. Mayor Cox read the proclamation and Councilmember Salas presented it to Ms. Zamudio.

- G. 14-0200** PRESENTATION BY SOUTH COUNTY ECONOMIC DEVELOPMENT COUNCIL (SCEDC) CEO CINDY GOMPPER-GRAVES OF THE RESULTS OF THE SCEDC'S 2014 BUSINESS OUTREACH INITIATIVE

Cindy Gompper-Graves and Rosa Lopez-Gonzalez, representing the South County Economic Development Council (SCEDC), gave a presentation on the results of the SCEDC's business outreach initiative.

- H. 14-0215** PRESENTATION REGARDING THE 2014 SAN DIEGO COUNTY FAIR BY DEL MAR FAIRGROUND MARKETING DEPARTMENT'S REPRESENTATIVE MONICA EMANUELE

Kirby Challman, representing the Del Mar Fairgrounds, gave a presentation on the upcoming 2014 San Diego County Fair.

CONSENT CALENDAR (Items 1 - 6)

Items 4 and 5B were removed from the Consent Calendar at the request of Deputy Mayor Aguilar and Councilmember Salas, respectively.

1. **14-0242** APPROVAL OF MINUTES of February 18 and 25, 2014.

Recommended Action: Council approve the minutes.

2. **14-0244** WRITTEN COMMUNICATIONS
Letter of Resignation from Jovita Juarez, Commission on Aging.

Recommended Action: Council accept the resignation.

3. **14-0202** ORDINANCE NO. 3308 OF THE CITY OF CHULA VISTA APPROVING A PRECISE PLAN (PCM-13-22) TO ALLOW A HEIGHT OF 120 FEET (45 FEET MAXIMUM CURRENTLY ALLOWED) TO ACCOMMODATE A PROPOSED PARKING STRUCTURE TO BE LOCATED WITHIN THE SHARP CHULA VISTA MEDICAL CENTER CAMPUS AT 751 MEDICAL CENTER COURT (SECOND READING AND ADOPTION)

Recommended Action: Council adopt the ordinance.

Item 4 was removed from the Consent Calendar.

Item 5B was removed from the Consent Calendar.

5. **14-0260** Item 5A was adopted with the Consent Calendar; Item 5B was removed from the Consent Calendar.

A. RESOLUTION NO. 2014-003 OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA (1) APPROVING THE REVISED LONG-RANGE PROPERTY MANAGEMENT PLAN (REVISED LRPMP) REQUIRED UNDER HEALTH AND SAFETY CODE SECTION 34191.5 EXCEPT THAT PORTION OF THE PLAN THAT ADDRESSES PARKING LOT PARCELS; (2) AUTHORIZING THE CITY MANAGER IN HIS CAPACITY AS EXECUTIVE DIRECTOR OF THE SUCCESSOR AGENCY TO WITHHOLD SUBMISSION OF THE REVISED LRPMP TO THE OVERSIGHT BOARD AND THE STATE DEPARTMENT OF FINANCE SHOULD THE SUCCESSOR AGENCY ELECT TO INITIATE LITIGATION AGAINST THE DEPARTMENT OF FINANCE REGARDING DENIAL OF THE ORIGINAL LRPMP; AND (3) RESERVATION OF RIGHTS

B. RESOLUTION NO. 2014-004 OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA (1) APPROVING THAT PORTION OF THE REVISED LONG-RANGE PROPERTY MANAGEMENT PLAN (REVISED LRPMP) REQUIRED UNDER HEALTH AND SAFETY CODE SECTION 34191.5 THAT ADDRESSES PARKING LOT PARCELS; (2) AUTHORIZING THE CITY MANAGER IN HIS CAPACITY AS EXECUTIVE DIRECTOR OF THE SUCCESSOR AGENCY TO WITHHOLD SUBMISSION OF THE REVISED LRPMP TO THE OVERSIGHT BOARD AND THE DEPARTMENT OF FINANCE SHOULD THE SUCCESSOR AGENCY ELECT TO INITIATE LITIGATION AGAINST THE STATE DEPARTMENT OF FINANCE REGARDING DENIAL OF THE ORIGINAL LRPMP; AND (3) RESERVATION OF RIGHTS

Recommended Action: Council adopt the resolutions.

- 6. 14-0240** RESOLUTION NO. 2014-065 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MODIFYING THE APPENDIX TO THE LOCAL CONFLICT OF INTEREST CODE TO ADD CHARTER REVIEW COMMISSION AND DISTRICTING COMMISSION MEMBERS TO THE LIST OF OFFICIALS WHO ARE REQUIRED TO FILE PERIODIC STATEMENTS OF ECONOMIC INTERESTS

Recommended Action: Council adopt the resolution.

Approval of the Consent Calendar

ACTION: A motion was made by Mayor Cox, seconded by Councilmember Bensoussan, to approve staff's recommendations on Consent Calendar items 1 through 3, 5A, and 6, headings read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, Ramirez, Salas and Cox

No: 0

Abstain: 0

ITEMS REMOVED FROM THE CONSENT CALENDAR

5. **14-0260** Item 5A was adopted with the Consent Calendar; Item 5B was removed from the Consent Calendar.

A. RESOLUTION NO. 2014-003 OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA (1) APPROVING THE REVISED LONG-RANGE PROPERTY MANAGEMENT PLAN (REVISED LRPMP) REQUIRED UNDER HEALTH AND SAFETY CODE SECTION 34191.5 EXCEPT THAT PORTION OF THE PLAN THAT ADDRESSES PARKING LOT PARCELS; (2) AUTHORIZING THE CITY MANAGER IN HIS CAPACITY AS EXECUTIVE DIRECTOR OF THE SUCCESSOR AGENCY TO WITHHOLD SUBMISSION OF THE REVISED LRPMP TO THE OVERSIGHT BOARD AND THE STATE DEPARTMENT OF FINANCE SHOULD THE SUCCESSOR AGENCY ELECT TO INITIATE LITIGATION AGAINST THE DEPARTMENT OF FINANCE REGARDING DENIAL OF THE ORIGINAL LRPMP; AND (3) RESERVATION OF RIGHTS

B. RESOLUTION NO. 2014-004 OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA (1) APPROVING THAT PORTION OF THE REVISED LONG-RANGE PROPERTY MANAGEMENT PLAN (REVISED LRPMP) REQUIRED UNDER HEALTH AND SAFETY CODE SECTION 34191.5 THAT ADDRESSES PARKING LOT PARCELS; (2) AUTHORIZING THE CITY MANAGER IN HIS CAPACITY AS EXECUTIVE DIRECTOR OF THE SUCCESSOR AGENCY TO WITHHOLD SUBMISSION OF THE REVISED LRPMP TO THE OVERSIGHT BOARD AND THE DEPARTMENT OF FINANCE SHOULD THE SUCCESSOR AGENCY ELECT TO INITIATE LITIGATION AGAINST THE STATE DEPARTMENT OF FINANCE REGARDING DENIAL OF THE ORIGINAL LRPMP; AND (3) RESERVATION OF RIGHTS

Councilmember Salas stated she would be abstaining from voting on Item 5B due to a potential property-related conflict of interest.

ACTION: A motion was made by Mayor Cox, seconded by Deputy Mayor Aguilar, to adopt Successor Agency Resolution 2014-004 (Item 5B), heading read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, Ramirez and Cox

No: 0

Abstain: 1 - Salas

4. **14-0179** RESOLUTION NO. 2014-064 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA (1) APPROVING FISCAL YEAR 2014/2015 ANNUAL ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIP (HOME), AND THE EMERGENCY SOLUTIONS GRANT (ESG) PROGRAMS; (2) AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AGREEMENTS FOR THE MANAGEMENT AND IMPLEMENTATION OF ELIGIBLE PROJECTS WITH EACH SUB-RECIPIENT / CONTRACTOR / DEVELOPER IDENTIFIED IN THE ACTION PLAN; (3) AUTHORIZING THE CITY OF CHULA VISTA DEVELOPMENT SERVICES DEPARTMENT TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE DEPARTMENT OF RECREATION FOR THE IMPLEMENTATION OF TWO CDBG FUNDED PROGRAMS; AND, (4) AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL RELATED DOCUMENTS NECESSARY TO OBTAIN THE HOUSING AND URBAN DEVELOPMENT GRANTS

Assistant Director of Development Services Crockett provided information on the item.

ACTION: A motion was made by Deputy Mayor Aguilar, seconded by Councilmember Salas, to adopt Resolution No. 2014-064, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, Ramirez, Salas and Cox

No: 0

Abstain: 0

PUBLIC COMMENTS

Ira Patron, San Diego resident, representing The American Cancer Society (ACS), spoke regarding the ACS's upcoming Relay for Life Chula Vista that would be held June 21-22, 2014. He invited the Council to the event and encouraged community participation.

Robert Solomon, Chula Vista resident, expressed concern regarding non-commercial sign placement in Chula Vista.

Ella Croshier, Coronado resident, expressed concern regarding a tree on City property adjacent to her privately owned property. Mayor Cox stated the item would be referred to the City Manager.

PUBLIC HEARINGS**7. 14-0227** CONSIDERATION OF CHULA VISTA'S PORTION OF THE 2014 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM

RESOLUTION NO. 2014-066 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDMENT OF THE TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2014/2015 THROUGH 2018/2019 FOR INCLUSION IN THE REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM AND PROVIDING THE CERTIFICATION AND INDEMNITY STATEMENTS NECESSARY TO OBTAIN TRANSNET FUNDS

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

ACTION: A motion was made by Councilmember Ramirez, seconded by Deputy Mayor Aguilar, to adopt Resolution No. 2014-066, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, Ramirez, Salas and Cox

No: 0

Abstain: 0

8. 14-0207 CONSIDERATION OF AMENDMENT TO CHAPTER 18 (MOBILEHOMES) OF THE CITY'S MASTER FEE SCHEDULE

A. RESOLUTION NO. 2014-067 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CHAPTER 18 (MOBILEHOMES) OF THE CITY'S MASTER FEE SCHEDULE, INCLUDING SETTING THE FEE AT \$40 FOR FISCAL YEAR 2014/2015

B. RESOLUTION NO. 2014-068 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CHAPTER 18 (MOBILEHOMES) OF THE CITY'S MASTER FEE SCHEDULE, ESTABLISHING A FEE TO RECOVER STAFF COSTS RELATED TO PROCESSING APPLICATIONS FOR PARK CLOSURE OR DISCONTINUANCE UNDER CHAPTER 9.40 OF THE CHULA VISTA MUNICIPAL CODE

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.

Senior Project Coordinator Kurz presented information regarding the item.

Mayor Cox opened the public hearing.

David Danciu, Chula Vista resident, spoke in support of staff's recommendation.

Penny Vaughn, Chula Vista resident, representing the Chula Vista Mobilehome Residents Association, spoke in support of staff bringing future items related to mobilehome fees to the Mobilehome Rent Review Commission prior to the item being considered by the Council.

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

In response to questions from Mayor Cox, Senior Project Coordinator Kurz stated that staff had made a short presentation to the Mobilehome Rent Review Commission at its last meeting and that a more in-depth presentation would be considered in the future.

ACTION: A motion was made by Councilmember Salas, seconded by Deputy Mayor Aguilar, to adopt Resolution Nos. 2014-067 and 2014-068, headings read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, Ramirez, Salas and Cox

No: 0

Abstain: 0

CITY MANAGER'S REPORTS

City Manager Sandoval reported on the City's partnership with Southwestern College's GIS program and that Southwestern College had nominated the City's GIS Manager, Bob Blackwelder, for a national award. He also announced an upcoming celebration on May 14, 2014 of the City's installation of solar equipment.

MAYOR'S REPORTS

Item 9 under Mayor's Reports was noticed as time certain for 5:00 p.m. and was taken out of order following Closed Session.

Mayor Cox announced the following upcoming events: Chula Vista Community Fun Run on May 17, 2014, and the Padres' Chula Vista Community Series at Petco Park.

COUNCILMEMBERS' COMMENTS

Councilmember Bensoussan announced The San Diego Foundation's Give Big San Diego Day, a fundraiser held on May 6, 2014. She acknowledged individuals and organizations that participated in the recent Immigration Forum.

Councilmember Ramirez reported on his recent public office hours on the topic of the Jackson Place Luxury Apartments project and stated members of the public expressed concern regarding the proposed project. He spoke in support of installing a trail system around the San Diego Country Club golf course.

Deputy Mayor Aguilar reported on a forum she and Councilmember Salas held on water issues.

At the request of Deputy Mayor Aguilar, there was consensus of the Council to add an item to the Council agenda of May 20, 2014 to consider a resolution in support of AB 2104, regarding water-efficient landscaping.

Deputy Mayor Aguilar spoke in support of granting the Police Officers' Association's request to give a presentation to the Council regarding budget issues. Mayor Cox stated that any organized group was allowed a presentation of up to 20 minutes on an item on the agenda.

Councilmember Salas spoke regarding the forum she and Deputy Mayor Aguilar held on the topic of water issues.

At the request of Councilmember Salas, there was consensus of the Council to add an item to the May 13, 2014 agenda for Council consideration of an ad-hoc committee, consisting of herself and Deputy Mayor Aguilar, for the purposes of continuing to work on water issues and identifying opportunities to bring the presentation to the public.

Councilmember Bensoussan provided information on a past discussion regarding walking trails around the San Diego Country Club.

Councilmember Ramirez spoke in support of an item to be added to a future agenda to allow for a dialogue between the Police Officers' Association and the Council.

Mayor Cox announced that the Council would convene in closed session to discuss Items 10 through 12, listed below, and that Item 13 would not be heard.

At 4:33 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.

10. 14-0263 PUBLIC EMPLOYEE APPOINTMENT PURSUANT TO GOVERNMENT CODE SECTION 54957(b)

Title: City Manager

ACTION: No reportable action.

11. 14-0243 CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6

Agency designated representatives: Jim Sandoval, Kelley Bacon, Maria Kachadoorian, Simon Silva, Dave Hanneman, Jim Garcia and Gary Ficacci

Employee organization: CVEA, IAFF, POA, Mid-Managers/Prof and WCE

ACTION: No reportable action.

- 12. 14-0264** CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (a):

Barbara Gonzalez-Nieves v. Manuel Alejandro Frutos, et al., San Diego Superior Court, Case Number 37-2012-78606-CU-WM-SC

ACTION: No reportable action pending final terms of settlement.

- 13. 14-0267** CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9(c):

One (1) case vs. California Department of Finance regarding denial of Successor Agency's Health and Safety Code section 34191.5 Long Range Property Plan.

Item 13 was not discussed.

MAYOR'S REPORTS (Continued)

The Council reconvened in Open Session at 5:02 p.m. to discuss Item 9.

- 9. 14-0265** CITY COUNCIL REQUEST FOR INPUT FROM THE COMMUNITY AT LARGE (INCLUDING CITY EMPLOYEES) REGARDING THE ATTRIBUTES AND SKILLS THEY ARE LOOKING FOR IN THE CITY'S NEXT CITY MANAGER

Item 9 was noticed as time certain for 5:00 p.m. The item was taken out of order at 5:02 p.m.

John Hess, representing the International Association of Fire Fighters (IAFF), expressed the IAFF's desired qualities of a City Manager.

At 5:12 p.m., the Council reconvened in Closed Session to continue discussion of Items 10 through 12.

ADJOURNMENT

At 6:30 p.m., Mayor Cox adjourned the meeting to the regular City Council Meeting on May 13, 2014, at 2:00 p.m., in the Council Chambers.

Kerry K. Bigelow, Assistant City Clerk