

City of Chula Vista

Meeting Minutes - Final

Tuesday, November 15, 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 5:06 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, Deputy City Attorney Shirey, Assistant City Clerk Bigelow, and Deputy City Clerk Larrarte

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Councilmember Aguilar led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

- A. [16-0515](#) EMPLOYEE SERVICE RECOGNITION HONORING STAFF WITH MILESTONE SERVICE ANNIVERSARIES

Mayor Casillas Salas recognized employees with milestone service anniversaries.

- B. [16-0549](#) PRESENTATION BY DR. EMERALD RANDOLPH REGARDING THE 2016 CHRISTMAS IN OCTOBER

Dr. Emerald Randolph gave a presentation regarding the 2016 Christmas in October. Ms. Santos, recipient of Christmas in October assistance for her family's home, thanked the Council and volunteers with the program for the work done on the house.

- C. [16-0528](#) PRESENTATION OF A PROCLAMATION TO SWEETWATER UNION HIGH SCHOOL DISTRICT DIRECTOR OF CURRICULUM AND INSTRUCTION ROMAN DEL ROSARIO PROCLAIMING NOVEMBER 13 THROUGH NOVEMBER 19, 2016 AS GEOGRAPHIC AWARENESS WEEK IN CHULA VISTA

Mayor Casillas Salas read the proclamation and Councilmember McCann presented it to Mr. Del Rosario, representing the Sweetwater Union High School District.

- D. [16-0441](#) PRESENTATION OF A PROCLAMATION TO DEBBIE ESPE, CHAIR OF THE CHULA VISTA CHARITABLE FOUNDATION, PROCLAIMING NOVEMBER 15TH NATIONAL PHILANTHROPY DAY® IN THE CITY OF CHULA VISTA AND RECOGNIZING CHULA VISTA CHARITABLE FOUNDATION MEMBERS FOR THEIR EFFORTS TO IMPROVE THE CHULA VISTA COMMUNITY

Mayor Casillas Salas read the proclamation and Councilmember Bensoussan presented it to Ms. Espe, representing the Chula Vista Charitable Foundation.

CONSENT CALENDAR (Items 1 - 14)

1. [16-0545](#) APPROVAL OF MINUTES of November 3 and 8, 2016.
- Recommended Action: Council approve the minutes.**
2. [16-0546](#) ORDINANCE NO. 3381 OF THE CITY OF CHULA VISTA ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF CFD NO. 18M, AUTHORIZING THE LEVY OF A SPECIAL TAX IN CFD NO. 18M (SECOND READING AND ADOPTION)
- Recommended Action: Council adopt the ordinance.**
3. [16-0437](#)
- A. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.06 OF THE CHULA VISTA MUNICIPAL CODE, ADMINISTRATIVE PROVISIONS FOR THE TECHNICAL BUILDING CODES (FIRST READING)
- B. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.08 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA BUILDING CODE, 2016 EDITION (FIRST READING)
- C. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.09 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA RESIDENTIAL CODE, 2016 EDITION (FIRST READING)
- D. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.10 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA REFERENCED STANDARDS CODE, 2016 EDITION (FIRST READING)
- E. ORDINANCE 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 (FIRST READING)

F. ORDINANCE OF THE CITY OF CHULA VISTA ADOPTING CHAPTER 15.14 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA EXISTING BUILDING CODE, 2016 EDITION (FIRST READING)

G. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.16 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA MECHANICAL CODE, 2016 EDITION (FIRST READING)

H. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.24 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA ELECTRICAL CODE, 2016 EDITION (FIRST READING)

I. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.26 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA ENERGY CODE, 2016 EDITION (FIRST READING)

J. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.28 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA PLUMBING CODE, 2016 EDITION (FIRST READING)

K. ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 15.36 OF THE CHULA VISTA MUNICIPAL CODE ADOPTING THE CALIFORNIA FIRE CODE, 2016 EDITION (FIRST READING)

Recommended Action: Council place the ordinances on first reading.

4. [16-0444](#)

A. RESOLUTION NO. 2016-228 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AGREEMENT BETWEEN ESGIL CORPORATION AND THE CITY OF CHULA VISTA TO PROVIDE BUILDING PERMIT PROCESSING, PLAN REVIEW AND INSPECTION SERVICES, ON AN AS-NEEDED BASIS, AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT

B. RESOLUTION NO. 2016-229 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AGREEMENT BETWEEN BUREAU VERITAS NORTH AMERICA CORPORATION AND THE CITY OF CHULA VISTA TO PROVIDE BUILDING PERMIT PROCESSING, PLAN REVIEW AND INSPECTION SERVICES, ON AN AS-NEEDED BASIS, AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT

C. RESOLUTION NO. 2016-230 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AGREEMENT BETWEEN CSG CONSULTANTS CORPORATION AND THE CITY OF CHULA VISTA TO PROVIDE BUILDING PERMIT PROCESSING, PLAN REVIEW AND INSPECTION SERVICES, ON AN AS-NEEDED BASIS, AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT

Recommended Action: Council adopt the resolutions.

5. [16-0502](#) RESOLUTION NO. 2016-231 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE QUALIFICATIONS TO SERVE ON, AND THE APPOINTMENT PROCESS FOR, THE SOUTH BAY WILDLIFE ADVISORY GROUP FOR CITY OF CHULA VISTA REPRESENTATIVES

Recommended Action: Council adopt the resolution.

6. [16-0525](#) ORDINANCE 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 (FIRST READING)

Recommended Action: Council place the ordinance on first reading.

7. [16-0443](#) RESOLUTION NO. 2016-232 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING "EXTENSION AND FIRST AMENDMENT OF LEASE" AGREEMENTS FOR TWO TENANT PREMISES AT THE OTAY RANCH TOWN CENTER FOR THE OTAY RANCH BRANCH LIBRARY AND THE COMMUNITY SPACE, "THE HUB"

Recommended Action: Council adopt the resolution.

8. [16-0390](#) A. RESOLUTION NO. 2016-233 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE COMPENSATION SCHEDULE AND CLASSIFICATION PLAN TO REFLECT THE ADDITION AND REMOVAL OF VARIOUS POSITION TITLES, AMENDING THE AUTHORIZED POSITION COUNT IN VARIOUS DEPARTMENTS WITH NO NET CHANGE IN AUTHORIZED STAFFING, AND AMENDING THE POLICE DEPARTMENT FISCAL YEAR 2016-2017 PERSONNEL SERVICES BUDGET
- B. RESOLUTION NO. 2016-234 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
- Recommended Action: Council adopt the resolutions.**
9. [16-0529](#) RESOLUTION NO. 2016-235 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AMENDED AND RESTATED LICENSE, LEASE AND OPERATIONS AGREEMENT BETWEEN THE CITY AND EASTON SPORTS DEVELOPMENT FOUNDATION
- Recommended Action: Council adopt the resolution.**
10. [16-0473](#) RESOLUTION NO. 2016-236 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2016/2017 CIP PROGRAM BUDGET AND ESTABLISHING A NEW CIP PROJECT DR208, "PRELIMINARY ENGINEERING AND ENVIRONMENTAL STUDIES FOR TELEGRAPH CANYON CHANNEL PROJECT" AND APPROPRIATING \$800,000 FROM THE AVAILABLE BALANCE OF THE TELEGRAPH CANYON DRAINAGE FEE FUND TO CIP NO. DR208 (4/5 VOTE REQUIRED)
- Recommended Action: Council adopt the resolution.**
11. [16-0501](#) RESOLUTION NO. 2016-237 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING SUBMITTAL OF AN APPLICATION FOR A CALRECYCLE RUBBERIZED PAVEMENT GRANT OF \$350,000 FOR FISCAL YEAR 2016-17 AND AUTHORIZING AND EMPOWERING THE DIRECTOR OF PUBLIC WORKS OR HIS DESIGNEE TO EXECUTE ALL GRANT DOCUMENTS NECESSARY TO SECURE GRANT FUNDS AND IMPLEMENT THE APPROVED GRANT PROJECT FOR A PERIOD OF THREE YEARS
- Recommended Action: Council adopt the resolution.**

- 12. [16-0505](#) RESOLUTION NO. 2016-238 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING THE CONTRACT FOR "BRUSH CLEARANCE IN RICE CANYON" (CIP # OP225) (PHASE 2) TO HELIX ENVIRONMENTAL PLANNING, INC. IN THE AMOUNT OF \$283,256 IN ACCORDANCE WITH MULTIPLE SPECIES CONSERVATION SUBAREA PLAN (MSCP) OF 2003 AND AREA SPECIFIC MANAGEMENT DIRECTIVES (ASMDs), AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE CONTRACT

Recommended Action: Council adopt the resolution.

- 13. [16-0532](#) A. QUARTERLY FINANCIAL REPORT FOR THE QUARTER ENDED SEPTEMBER 30, 2016

B. RESOLUTION NO. 2016-239 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING VARIOUS AMENDMENTS TO THE FISCAL YEAR 2016/17 BUDGET TO ADJUST FOR VARIANCES AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

Recommended Action: Council accept the report and adopt the resolution.

- 14. [16-0534](#) INVESTMENT REPORT FOR THE QUARTER ENDED SEPTEMBER 30, 2016

Recommended Action: Council accept the report.

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

Ray Voller, Chula Vista resident, expressed concern regarding tree trimming, the sale of used cars on the street, and trash removal in his neighborhood. Mayor Casillas Salas stated the issue would be referred to staff.

Mark Twohey, Chula Vista resident, expressed appreciation for the Council's fiscal management and stated he looked forward to the City's infrastructure needs being addressed.

PUBLIC HEARINGS

- 15. [16-0489](#) CONSIDERATION OF A REQUEST TO WAIVE UNCOLLECTED CONDITIONAL USE PERMIT APPEAL PROCESSING FEES BY RANCHO VISTA CHURCH

RESOLUTION NO. 2016-240 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE WAIVER OF UNCOLLECTED CONDITIONAL USE PERMIT APPEAL PROCESSING FEES FOR THE RANCHO VISTA COVENANT CHURCH PROJECT AT 2088 OTAY LAKES ROAD, SUITES 101 AND 201 (PCC-15-014) AND MAKING THE REQUIRED FINDINGS THEREFOR

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.

City Manager Halbert provided information regarding the item.

Mayor Casillas Salas opened the public hearing.

John Rose and Debbie Farrar, representing Rancho Vista Church, spoke in support of staff's recommendation and requested the fees be waived.

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 No. 2016-240 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

ACTION ITEMS

- 16. [15-0503](#) CONSIDERATION OF APPROVING THE AMENDED AND RESTATED CHULA VISTA BAYFRONT MASTER PLAN FINANCING AGREEMENT BETWEEN THE CITY AND THE SAN DIEGO UNIFIED PORT DISTRICT

RESOLUTION NO. 2016-241 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDED AND RESTATED CHULA VISTA BAYFRONT MASTER PLAN FINANCING AGREEMENT BETWEEN THE CITY AND THE SAN DIEGO UNIFIED PORT DISTRICT

Deputy Mayor Miesen stated he would abstain from participating and voting on the item due to a potential conflict of interest related to a business entity in which he had a financial interest. He left the dais at 5:59 p.m.

City Manager Halbert provided information on the item.

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Bensoussan, that Resolution No. 2016-241 be adopted, heading 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 6:13 p.m.

CITY MANAGER'S REPORTS

City Manager Halbert stated staff was working with the City Attorney's office to bring implementing items related to Proposition P for Council's consideration at the meeting of December 6, 2016.

MAYOR'S REPORTS

Mayor Casillas Salas thanked the community and supporters of Measure P and spoke regarding the impact the additional revenue would have on the City's infrastructure needs.

Mayor Casillas Salas announced the upcoming ribbon cutting for the new grocery store on 4th Avenue. She spoke regarding the recent celebrations in honor of veterans. Mayor Casillas Salas congratulated Jason Paguio on the success of the Bayfront Band Review & Festival and she spoke regarding academic activities at Eastlake Middle School.

COUNCILMEMBERS' COMMENTS

Councilmember McCann thanked the Council and staff for its work on the Chula Vista Bayfront financing agreement. He spoke regarding the recent groundbreaking of the new tower at the Sharp Chula Vista hospital. He thanked the American Legion for supporting the recent veteran's celebration at Memorial Bowl.

Deputy Mayor Miesen spoke regarding the passage of Measure P and the improvements that would be made to the City's infrastructure as a result. He announced the upcoming Chamber of Commerce golf tournament and the Starlight Parade.

Councilmember Bensoussan spoke regarding the We Are Chula Vista photo contest.

Councilmember Aguilar announced the upcoming Starlight Parade and spoke regarding the event.

ADJOURNMENT

At 6:26 p.m., Mayor Casillas Salas adjourned the meeting to the Regular City Council meeting on December 6, 2016 at 5:00 p.m., in the Council Chambers.

Kerry K. Bigelow, Assistant City Clerk