

City of Chula Vista

Meeting Minutes - Final

Tuesday, November 13, 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 5:06 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 Larrarte

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Deputy Mayor Diaz led the Pledge of Allegiance. Mayor Casillas Salas called for a moment of silence to honor the victims of the shooting in Thousand Oaks and the California wildfires.

SPECIAL ORDERS OF THE DAY

- A. [18-0479](#) PRESENTATION OF A PROCLAMATION COMMENDING CHRISTOPHER L. LAWRENCE AS THE 2018 CHULA VISTA VETERAN OF THE YEAR

Mayor Casillas Salas read the proclamation and Councilmember McCann presented it to Mr. Lawrence.

- B. [18-0500](#) PRESENTATION BY DR. EMERALD RANDOLPH REGARDING THE 2018 CHRISTMAS IN OCTOBER PROGRAM

Dr. Emerald Randolph gave a presentation on the item.

- C. [18-0532](#) PRESENTATION OF THE 16TH ANNUAL BEAUTIFY CHULA VISTA DAY AND RECOGNITION OF PUBLIC WORKS DEPARTMENT, PARKS DIVISION, SUSTAINABILITY TEAM, I LOVE A CLEAN SAN DIEGO, AND THE LIVING COAST DISCOVERY CENTER

Recycling Specialist Sanchez gave a presentation on the item.

CONSENT CALENDAR (Items 1 - 7)

Items 3, 6, and 7 were removed from the Consent Calendar at the request of a member of the public, Deputy Mayor Diaz, and Councilmember Padilla, respectively.

1. [18-0504](#) ORDINANCE NO. 3444 OF THE CITY OF CHULA VISTA AMENDING CHULA VISTA MUNICIPAL CODE CHAPTER 2.63 - "MEASURE A" CITIZENS' OVERSIGHT COMMITTEE TO ADD ONE DESIGNATED MEMBER FROM THE CHULA VISTA MIDDLE MANAGEMENT/PROFESSIONAL (MM/PROF) EMPLOYEE GROUP (SECOND READING AND ADOPTION)

Recommended Action: Council adopt the ordinance.

2. [18-0485](#) RESOLUTION NO. 2018-217 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN SDG&E POWER YOUR DRIVE SITE HOST PARTICIPATION AGREEMENT TO EXPAND SDG&E'S POWER YOUR DRIVE PROGRAM TO A MUNICIPAL FACILITY LOCATED AT 610 BAY BLVD

Recommended Action: Council adopt the resolution.

Item 3 was removed from the Consent Calendar.

4. [18-0487](#) RESOLUTION 2018-219 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE FILING OF AN APPLICATION FOR SPECIALIZED TRANSPORTATION GRANT PROGRAM FUNDS THROUGH THE SAN DIEGO ASSOCIATION OF GOVERNMENTS FOR SENIOR TRAVEL TRAINING, COMMITTING THE NECESSARY LOCAL MATCH FOR THE PROJECT(S), AND STATING THE ASSURANCE OF THE CITY OF CHULA VISTA TO EXECUTE THE GRANT AGREEMENT AND COMPLETE THE PROJECT

Recommended Action: Council adopt the resolution.

5. [18-0493](#) RESOLUTION NO. 2018-220 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A PROJECT DEVELOPMENT COOPERATION AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND GDCI PROCTOR VALLEY, L.P.

Recommended Action: Council adopt the resolution.

Items 6 and 7 were removed from the Consent Calendar.

Approval of the Consent Calendar

ACTION: A motion was made by Councilmember McCann, seconded by Mayor Casillas Salas, 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, Diaz, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

ITEMS REMOVED FROM THE CONSENT CALENDAR

- 3. [18-0451](#) RESOLUTION NO. 2018-218 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE CLEAN-UP VERSION OF THE 2018 PARKS AND RECREATION MASTER PLAN UPDATE

Patricia Belden, Bonita resident, spoke in support of making Rohr Park a legacy park.

Landscape Architect Caro spoke regarding the designation of a legacy park.

ACTION: A motion was made by Mayor Casillas Salas, seconded by Councilmember McCann, to adopt Resolution No. 2018-218, heading read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 0

- 6. [18-0506](#) FISCAL YEAR 2017/18 ANNUAL FINANCIAL STATUS REPORT

Director of Finance Bilby responded to questions from Council regarding the item.

ACTION: A motion was made by Deputy Mayor Diaz, seconded by Mayor Casillas Salas, to accept the report, heading read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 0

- 7. [18-0513](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING SECTIONS OF CHULA VISTA MUNICIPAL CODE CHAPTER 5.19 (FIRST READING)

City Manager Halbert and Deputy City Attorney McClurg responded to questions from the Council regarding the item.

ACTION: A motion was made by Councilmember Padilla, seconded by Councilmember McCann, to place the above ordinance 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

Timothy Smith, Chula Vista resident, spoke in support of increasing funding to abate graffiti.

Item 8 was taken out of order and was heard following Item 10.

BOARD AND COMMISSION REPORTS

9. [18-0466](#) RESOLUTION NO. 2018-224 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A CODE OF CIVIL DISCOURSE FOR THE CITY OF CHULA VISTA BASED ON THE MODEL DEVELOPED BY THE NATIONAL CONFLICT RESOLUTION CENTER

City Attorney Googins, Chris Holbert, representing the National Conflict Resolution Center, and Human Relations Commissioner Lake, spoke regarding the item.

ACTION: A motion was made by Councilmember Aguilar, seconded by Councilmember McCann, to adopt Resolution No. 2018-224, heading read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 0

10. [18-0489](#) RESOLUTION NO. 2018-225 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA OPPOSING DISCRIMINATORY POLICIES THAT LIMIT IMMIGRATION ACCESS FROM SPECIFIED COUNTRIES

Councilmember McCann left the dais at 6:14 p.m. City Attorney Googins stated that Councilmember McCann would abstain from voting on the item due to a potential conflict of interest related to his service in the Navy Reserve Force.

Director of Human Resources Chase introduced Human Relations Commissioner Zadah who spoke regarding the item.

The following Chula Vista residents spoke in support of staff's recommendation:

-Jim Scofield

-Kathy Cappos Hardy

-Jake Babauta, Bonita resident

The following members of the public submitted written documentation in support of staff's recommendation:

-Carolyn Scofield, Chula Vista resident

-Becky Thimm, Chula Vista resident

ACTION: A motion was made by Mayor Casillas Salas, seconded by Councilmember Padilla, to adopt Resolution No. 2018-225, heading read, text waived. The motion carried by the following vote:

Yes: 3 - Aguilar, Padilla and Casillas Salas

No: 1 - Diaz

Abstain: 1 - McCann

Councilmember McCann returned to the dais.

PUBLIC HEARINGS

- 8. [18-0488](#)
 - A. RESOLUTION NO. 2018-221 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (FEIR-14-001/SCH 2014121097); MAKING CERTAIN FINDINGS OF FACT; ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS; AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM FOR AMENDMENTS TO THE OTAY RANCH GENERAL DEVELOPMENT PLAN AND ADOPTION OF THE UNIVERSITY INNOVATION DISTRICT SECTIONAL PLANNING AREA PLAN INCLUDING PLANNED COMMUNITY DISTRICT REGULATIONS (CHAPTER 3 - DEVELOPMENT CODE) PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
 - B. RESOLUTION NO. 2018-222 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AMENDMENTS TO THE OTAY RANCH GENERAL DEVELOPMENT PLAN TO REFLECT LAND USE AND POLICY CHANGES FOR APPROXIMATELY 353 ACRES WITHIN THE OTAY RANCH PLANNED COMMUNITY, INCLUDING ASSOCIATED TEXT, MAPS AND TABLES
 - C. RESOLUTION NO. 2018-223 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING A NEW UNIVERSITY INNOVATION DISTRICT SECTIONAL PLANNING AREA PLAN, AND ASSOCIATED REGULATORY DOCUMENTS
 - D. ORDINANCE OF THE CITY OF CHULA VISTA APPROVING THE SECTIONAL PLANNING AREA (SPA) PLANNED COMMUNITY DISTRICT REGULATIONS (CHAPTER 3 - DEVELOPMENT CODE) FOR THE UNIVERSITY INNOVATION DISTRICT (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.

Principal Planners Donaghe and Power 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 Councilmember Aguilar, seconded by Councilmember McCann, to adopt Resolution No. 2018-221 (Item 8A), heading read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 0

ACTION: A motion was made by Mayor Casillas Salas, seconded by Councilmember McCann, to adopt Resolution Nos. 2018-222 (Item 8B) and 2018-223 (Item 8C), and place the above ordinance (Item 8D) 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

Items 9 and 10 were taken out of order and heard before Item 8.

ACTION ITEMS

11. [18-0494](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AWARDING A CONTRACT FOR DEVELOPING AND IMPLEMENTING A COMMUNICATIONS OUTREACH PROGRAM TO INFORM RESIDENTS ABOUT SCHEDULE, PROGRESS, AND MILESTONES ON MEASURE P, AND INFRASTRUCTURE PROJECTS (RFP PO2-18/19) TO NV5, INC.; AUTHORIZING THE EXPENDITURE OF \$172,520 IN PUBLIC, EDUCATIONAL, AND GOVERNMENTAL (PEG) AND/OR OTHER GENERAL FUNDS FOR THE INITIAL TERM FROM NOVEMBER 13, 2018 TO JUNE 30, 2021; AND, AUTHORIZING UP TO TWO, ONE-YEAR EXTENSIONS FOR A MAXIMUM CONTRACT AMOUNT OF \$272,520 (4/5 VOTE REQUIRED)

Item 11 was not heard and was continued to a future date.

Items 12 and 13 were taken out of order and heard after item 14.

14. [18-0510](#) RESOLUTION NO. 2018-228 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN OPTION TO LEASE AGREEMENT WITH THE UNIVERSITY OF SAINT KATHERINE

Economic Development Director Crockett spoke regarding the item.

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Aguilar, to adopt Resolution No. 2018-228, heading read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 0

12. [18-0505](#) A. QUARTERLY FINANCIAL REPORT FOR THE QUARTER ENDING SEPTEMBER 30, 2018

B. RESOLUTION NO. 2018-226 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING VARIOUS AMENDMENTS TO THE FISCAL YEAR 2018/19 BUDGET TO ADJUST FOR VARIANCES AND APPROPRIATING FUNDS; AMENDING THE CAPITAL IMPROVEMENT PROGRAM BUDGETS FOR THE PAVEMENT MINOR REHABILITATION CIP PROJECT (STL0433), THE CIP TRAFFIC PROJECT (TRF0354), THE CIP STREET MAJOR CIP PROJECT (STM0396), AND THE 610 BAY BLVD BUILDING REPAIR (GGV0238) THEREFOR (4/5 VOTE REQUIRED)

C. RESOLUTION NO. 2018-227 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A SALARY ADJUSTMENT FOR THE CITY CLERK

City Clerk Bigelow left the dais during discussion and voting on the item.

Finance Director Bilby and Budget and Analysis Manager Prendell gave a presentation on the item.

Human Resources Director Chase announced that approval of the item would affect executive compensation. City Attorney Googins announced that City Clerk Bigelow left the dais to avoid any appearance of impropriety as the item related to her salary.

ACTION: A motion was made by Mayor Casillas Salas, seconded by Councilmember McCann, to accept the report and adopt Resolution Nos. 2018-226 and 2018-227, headings read, text waived. The motion carried by the following vote:

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

No: 0

Abstain: 0

13. [18-0508](#) A. DELIBERATION AND NOMINATIONS OF APPLICANTS TO BE INTERVIEWED TO FILL THE CURRENT VACANCY ON THE PLANNING COMMISSION (AT-LARGE SEAT)

PLANNING COMMISSION APPLICANTS: Angelica Carrillo, Rodney Caudillo, Michael De La Rosa, Alonso Gonzalez, Delfina Gonzalez, Gregory Hall, Victor Ibarra, Marivic Lisama, Jorge Patrick Macfarland, Joseph Quinlivan, Jerome Torres, Jim Trotter, Monika Tuncbilek, Isabel Tutiven Ubilla

B. DELIBERATION AND NOMINATIONS OF APPLICANTS TO BE INTERVIEWED TO FILL THE CURRENT VACANCY ON THE MEASURE P CITIZENS' OVERSIGHT COMMITTEE (DISTRICT 1 SEAT)

MEASURE P CITIZENS' OVERSIGHT COMMITTEE APPLICANTS: Javier Angulo, Becky Cortez, Jennifer Ficacci, Jesus Gonzalez, Alan Hermiz, Leonardo Hernandez, Hector Martinez, Greg Martinez, Joshua Summers, and Librado Villalobos

C. SELECTION OF DATE AND TIME OF OPEN MEETING OR MEETINGS AS MAY BE NECESSARY TO CONDUCT INTERVIEWS OF THE FOLLOWING:

1. APPLICANTS RECEIVING TWO OR MORE NOMINATIONS FOR THE VACANCY ON THE PLANNING COMMISSION; AND
2. APPLICANTS RECEIVING TWO OR MORE NOMINATIONS FOR THE VACANCY ON THE MEASURE P CITIZENS' OVERSIGHT COMMITTEE

Mayor Casillas Salas stated that there were no members of the public who requested to speak regarding the item. City Clerk Bigelow announced that the nomination forms were available for public review and retained on file in the City Clerk's office.

City Clerk Bigelow provided information regarding Item 13A. Deputy City Clerk Larrarte distributed the nomination forms for the Planning Commission to the Council.

Councilmembers completed their nomination forms and submitted them to City Clerk Bigelow.

City Clerk Bigelow announced that the following individuals had received two or more nominations and would be invited to interview for the Planning Commission vacancy: Michael De La Rosa, Delfina Gonzalez, Gregory Hall, Jorge Patrick Macfarland, Jim Trotter, and Monika Tuncbilek.

City Clerk Bigelow provided information regarding Item 13B. Deputy City Clerk Larrarte distributed the nomination forms for the Measure P Citizens' Oversight Committee to the Council.

Councilmembers completed their nomination forms and submitted them to City Clerk Bigelow.

City Clerk Bigelow announced that the following individuals had received two or more nominations and would be invited to interview for the Measure P Citizens' Oversight Committee vacancy: Becky Cortez, Jennifer Ficacci, Hector Martinez, and Greg Martinez.

There was consensus of the Council to set the date for the interviews for November 28, 2018, at 3:00 p.m.

Item 14 was heard out of order following Item 11.

CITY MANAGER'S REPORTS

15. [18-0533](#) RESPONSE TO COUNCIL REFERRAL REGARDING PUBLIC SAFETY STAFFING AT SPECIAL EVENTS

City Manager Halbert stated that staff recommended budgeting for public safety costs at City-sponsored special events from the General Fund and that an item would be brought forward at a future meeting for Council consideration and possible action.

City Manager Halbert provided information regarding cannabis regulations in the City and stated a website had been established with additional information. He announced an upcoming public workshop on the topic and the anticipated application timeframe for those seeking permits for cannabis activities.

MAYOR'S REPORTS

Mayor Casillas Salas spoke regarding the Citywide election and congratulated candidates. She announced that the City had received the Circulate San Diego Complete Street Award for the F Street Promenade and Connectivity Award for the South Bay Bus Rapid Transit (BRT). She spoke regarding the following recent events: Ribbons and Shovels, reception for SDSU President Adela de la Torre, Interagency Water Task Force meeting, Quarry Crusher Run, MAAC fundraiser, Mayor's Learning Exchange forum, and Veteran's Day ceremony at Memorial Park. Mayor Casillas Salas extended Thanksgiving greetings to the community.

COUNCILMEMBERS' COMMENTS

At the request of Councilmember Aguilar, there was consensus of the Council to make a referral to staff to provide information regarding the impacts of the realignment of the United Technology Aerospace Systems.

Councilmember Padilla extended congratulations to Mayor Casillas Salas, Councilmember McCann, and City Attorney Googins on their reelections.

Deputy Mayor Diaz spoke regarding the realignment of the United Technology Aerospace Systems.

Councilmember McCann paid tribute to veterans and extended Thanksgiving greetings to the community.

CITY ATTORNEY'S REPORTS

City Attorney Googins thanked the Council and community for their support for his reelection.

CLOSED SESSION

City Attorney Googins announced that closed session Item 16 would not be discussed at that time.

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.

16. [18-0521](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4):

One [1] Case.

Item 16 was not discussed.

ADJOURNMENT

At 8:02 p.m., the meeting was adjourned to the Regular City Council Meeting on November 27, 2019, at 5:00 p.m., in the Council Chambers.

Kerry K. Bigelow, MMC, City Clerk