



MEETING OF THE CITY COUNCIL

Agenda

Mary Casillas Salas, Mayor
Patricia Aguilar, Councilmember
Mike Diaz, Councilmember
John McCann, Councilmember
Stephen C. Padilla, Councilmember

Gary Halbert, City Manager
Glen R. Googins, City Attorney
Donna R. Norris, City Clerk

Tuesday, January 17, 2017

5:00 PM

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

REGULAR MEETING OF THE CITY COUNCIL

CALL TO ORDER

ROLL CALL:

Councilmembers Aguilar, Diaz, McCann, Padilla and Mayor Casillas Salas

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

SPECIAL ORDERS OF THE DAY

- A. 17-0028 OATHS OF OFFICE
Jennifer Bustamante, Housing Advisory Commission
Bobby Erdmann, Commission on Aging
Jennifer Mueller, Veterans Advisory Commission
B. 17-0006 AWARD PRESENTATION TO THE 2016 STARLIGHT PARADE WINNING ENTRIES

CONSENT CALENDAR (Items 1 - 6)

The Council will enact the Consent Calendar staff recommendations by one motion, without discussion, unless a Councilmember, a member of the public, or staff requests that an item be removed for discussion. If you wish to speak on one of these items, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting. Items pulled from the Consent Calendar will be discussed immediately following the Consent Calendar.

1. [17-0029](#) APPROVAL OF MINUTES of January 7 and 10, 2017.

Staff Recommendation: Council approve the minutes.

2. [16-0588](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS AND AWARDING THE CONTRACT FOR THE "PHASE II - WILLOW STREET BRIDGE REPLACEMENT (STL-261)" PROJECT TO FLATIRON WEST, INC. IN THE AMOUNT OF \$15,186,666; WAIVING CITY COUNCIL POLICY NO. 574-01; AUTHORIZING THE EXPENDITURE OF ALL AVAILABLE CONTINGENCY FUNDS NOT TO EXCEED \$1,518,667; AND APPROPRIATING \$645,976 FROM THE AVAILABLE BALANCE OF TRANSPORTATION DEVELOPMENT IMPACT FEE FUNDS TO STL-261 (4/5 VOTE REQUIRED)

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AGREEMENTS BY AND BETWEEN THE CITY OF CHULA VISTA AND: SAN DIEGO GAS & ELECTRIC COMPANY (\$18,078), AT&T CALIFORNIA, INC. (\$52,317), AND COX COMMUNICATIONS, INC. (\$15,706) FOR THE REIMBURSEMENT OF COSTS FOR CONSTRUCTING VARIOUS UTILITY FACILITIES; AND APPROPRIATING A TOTAL OF \$86,101 OF NON-DEPARTMENTAL CIP FUNDS BASED ON UNANTICIPATED REVENUE ASSOCIATED WITH SAID AGREEMENTS TO STL-261 (4/5 VOTE REQUIRED)

Department: Public Works Department

Environmental Notice: The Project was adequately covered in previously adopted Final Mitigated Negative Declaration and associated Addenda 1, 2, and 3 for the Phase II - Willow Street Bridge Replacement Project and previously certified Categorical Exclusion pursuant to Code of Federal Regulations (CFR) Title 23, Section 771. Thus, no further California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) environmental review or determination is required.

Staff Recommendation: Council adopt the resolutions.

3. [16-0595](#) A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH THE STATE BOARD OF EQUALIZATION FOR IMPLEMENTATION OF A LOCAL TRANSACTIONS AND USE TAX
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE EXAMINATION OF TRANSACTIONS (SALES) AND USE TAX RECORDS
- Department:* City Attorney
- Environmental Notice:* The activity is not a "Project" as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.
- Staff Recommendation:* Council adopt the resolutions.
4. [17-0002](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ESTABLISHING A NEW CAPITAL IMPROVEMENT PROJECT "COASTAL CACTUS WREN HABITAT RESTORATION 2016" (OP229), AMENDING THE FISCAL YEAR 2016/2017 CIP PROGRAM BUDGET, AND APPROPRIATING \$49,972 IN SANDAG GRANT FUNDS THEREFOR (4/5 VOTE REQUIRED)
- Department:* Development Services Department
- Environmental Notice:* The Project qualifies for a Class 4 Categorical Exemption pursuant to Section 15304 (Minor Alterations to Land) of the California Environmental Quality Act State Guidelines.
- Staff Recommendation:* Council adopt the resolution.
5. [17-0015](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROPRIATING \$45,000 FROM THE AVAILABLE BALANCE OF THE INMATE WELFARE FUND TO PROVIDE SERVICES ESSENTIAL TO THE BENEFIT, WELFARE AND EDUCATIONAL NEEDS OF INMATES (4/5 VOTE REQUIRED)
- Department:* Police Department
- Environmental Notice:* The activity is not a "Project" as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.
- Staff Recommendation:* Council adopt the resolution.

6. [17-0011](#) RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A CONTRACT AMENDMENT BETWEEN THE CITY OF CHULA VISTA AND DR. LANCE GIBSON, DVM FOR RELIEF VETERINARY SERVICES AT THE CHULA VISTA ANIMAL CARE FACILITY AND AMENDING THE ANIMAL CARE FACILITY BUDGET TO REFLECT AN INCREASE IN COUNTY CONTRACT SERVICES (4/5 VOTE REQUIRED)

Department: Animal Care Facility

Environmental Notice: Staff has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the proposed activity is not a “project” as defined under Section 15378 of the State CEQA Guidelines because it will not result in a physical change to the environment. Therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Thus no environment review is necessary.

Staff Recommendation: Council adopt the resolution.

ITEMS REMOVED FROM THE CONSENT CALENDAR

PUBLIC COMMENTS

Persons speaking during Public Comments may address the Council on any subject matter within the Council’s jurisdiction that is not listed as an item on the agenda. State law generally prohibits the Council from discussing or taking action on any issue not included on the agenda, but, if appropriate, the Council may schedule the topic for future discussion or refer the matter to staff. Comments are limited to three minutes.

ACTION ITEMS

The Item(s) listed in this section of the agenda will be considered individually by the Council and are expected to elicit discussion and deliberation. If you wish to speak on any item, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting.

7. [16-0574](#) CONSIDERATION OF APPROVING CONTRACTS FOR CITY-INITIATED TOW AND IMPOUND SERVICES, AND AMENDMENTS TO THE TOW AND STORAGE RATE SCHEDULE AND LICENSE FEE

A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A CONTRACTOR SERVICES AGREEMENT TO PROVIDE VEHICLE TOW AND IMPOUND SERVICES FOR CITY-INITIATED TOWS BETWEEN THE CITY AND AMERICAN TOWING & AUTO DISMANTLING, INC., DOING BUSINESS AS AMERICAN TOWING, AUTHORIZING THE DIRECTOR OF FINANCE/ TREASURER TO EXECUTE THE SAME, AND AUTHORIZING THE DIRECTOR OF FINANCE/ TREASURER TO APPROVE UP TO FOUR ADDITIONAL ONE-YEAR EXTENSIONS

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A CONTRACTOR SERVICES AGREEMENT TO PROVIDE VEHICLE TOW AND IMPOUND SERVICES FOR CITY-INITIATED TOWS BETWEEN THE CITY AND ALEXANDRA INVESTMENTS, INC., DOING BUSINESS AS ANGELO'S TOWING & RECOVERY, AUTHORIZING THE DIRECTOR OF FINANCE/ TREASURER TO EXECUTE THE SAME, AND AUTHORIZING THE DIRECTOR OF FINANCE/ TREASURER TO APPROVE UP TO FOUR ADDITIONAL ONE-YEAR EXTENSIONS

C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A CONTRACTOR SERVICES AGREEMENT TO PROVIDE VEHICLE TOW AND IMPOUND SERVICES FOR CITY-INITIATED TOWS BETWEEN THE CITY AND AMBER LYNN, INC., DOING BUSINESS AS ASAP TOWING, AUTHORIZING THE DIRECTOR OF FINANCE/ TREASURER TO EXECUTE THE SAME, AND AUTHORIZING THE DIRECTOR OF FINANCE/ TREASURER TO APPROVE UP TO FOUR ADDITIONAL ONE-YEAR EXTENSIONS

D. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A CONTRACTOR SERVICES AGREEMENT TO PROVIDE VEHICLE TOW AND IMPOUND SERVICES FOR CITY-INITIATED TOWS BETWEEN THE CITY AND CORTES TOWING ENTERPRISES, INC., DOING BUSINESS AS CORTES TOWING, AUTHORIZING THE DIRECTOR OF FINANCE/ TREASURER TO EXECUTE THE SAME, AND AUTHORIZING THE DIRECTOR OF FINANCE/ TREASURER TO APPROVE UP TO FOUR ADDITIONAL ONE-YEAR EXTENSIONS

E. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A CONTRACTOR SERVICES AGREEMENT TO PROVIDE VEHICLE TOW AND IMPOUND SERVICES FOR CITY-INITIATED TOWS BETWEEN THE CITY AND A TO Z ENTERPRISES, INC., DOING BUSINESS AS ROAD ONE, AUTHORIZING THE DIRECTOR OF FINANCE/ TREASURER TO EXECUTE THE SAME, AND AUTHORIZING THE DIRECTOR OF FINANCE/ TREASURER TO APPROVE UP TO FOUR ADDITIONAL ONE-YEAR EXTENSIONS

F. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A CONTRACTOR SERVICES AGREEMENT TO PROVIDE VEHICLE TOW AND IMPOUND SERVICES FOR CITY-INITIATED TOWS BETWEEN THE CITY AND TONY'S AUTO CENTER, INC., DOING BUSINESS AS TONY'S AUTO CENTER, AUTHORIZING THE DIRECTOR OF FINANCE/TREASURER TO EXECUTE THE SAME, AND AUTHORIZING THE DIRECTOR OF FINANCE/TREASURER TO APPROVE UP TO FOUR ADDITIONAL ONE-YEAR EXTENSIONS

G. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE CITY-INITIATED TOW AND STORAGE RATE SCHEDULE AND THE TOW LICENSE FEE

Department: Police Department

Environmental Notice: The activity is not a "Project" as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

Staff Recommendation: Council adopt the resolutions.

CITY MANAGER'S REPORTS

MAYOR'S REPORTS

8. [17-0023](#) RATIFICATION OF APPOINTMENT OF THE FOLLOWING:
- A. John Bosselman, International Friendship Commission
 - B. Rene Loaiza, Board of Library Trustees
 - C. Norberto Salazar, Housing Advisory Commission

COUNCILMEMBERS' COMMENTS

CLOSED SESSION

Announcements of actions taken in Closed Session shall be made available by noon on Wednesday following the Council Meeting at the City Attorney's office in accordance with the Ralph M. Brown Act (Government Code 54957.7).

9. [17-0021](#) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1)
- A) Daniel Hardman v. City of Chula Vista, Office of Administrative Hearings (OAH), Case No. ADJ9957421
- B) Daniel Hardman v. City of Chula Vista, Office of Administrative Hearings (OAH), Case No. ADJ9957419
- C) Earl Jentz et al. v. City of Chula Vista, San Diego Superior Court, Case No. 37-2016-00032228-CU-TT-CTL
- D) James Garcia v. City of Chula Vista, San Diego Superior Court, Case No. 37-2015-00016408-CU-OE-CTL

ADJOURNMENT

to the Regular City Council Meeting on February 7, 2017, at 5:00 p.m., in the Council Chambers.

Materials provided to the City Council related to any open-session item on this agenda are available for public review at the City Clerk's Office, located in City Hall at 276 Fourth Avenue, Building A, during normal business hours.

*In compliance with the
AMERICANS WITH DISABILITIES ACT*

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