

City of Chula Vista

Meeting Minutes - Final

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

A Regular Meeting of the City Council of the City of Chula Vista was called to order at 5:00 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Councilmember Diaz led the Pledge of Allegiance.

ROLL CALL:

Present: Councilmember Aguilar, Councilmember Diaz, Deputy Mayor McCann, Councilmember Padilla and Mayor Casillas Salas

Also Present: City Manager Halbert, City Attorney Googins, Assistant City Clerk Bigelow, and Deputy City Clerk Kansas

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

Assistant City Clerk Bigelow administered the oaths of office to Commissioners Bustamante, Erdmann, and Mueller, and Councilmember Padilla presented them with certificates of appointment.

- B. [17-0006](#) AWARD PRESENTATION TO THE 2016 STARLIGHT PARADE WINNING ENTRIES

Councilmember Aguilar gave a presentation regarding the 2016 Starlight Parade and recognized sponsors and supporters. She and Cameron Celeste, aide to former Councilmember Steve Miesen, announced and distributed awards to the winning parade entries.

CONSENT CALENDAR (Items 1 - 6)

City Attorney Googins announced that, regarding Item 3B, a revised resolution had been distributed to the Council and would be the version adopted should the item be approved.

Mayor Casillas Salas announced that Item 7 would not be discussed and would be continued to the meeting of February 7, 2017.

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

Recommended Action: Council approve the minutes.

2. [16-0588](#) A. RESOLUTION NO. 2017-014 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 NO. 2017-015 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)

Recommended Action: Council adopt the resolutions.

3. [16-0595](#) A. RESOLUTION NO. 2017-016 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 NO. 2017-017 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE EXAMINATION OF TRANSACTIONS (SALES) AND USE TAX RECORDS

Recommended Action: Council adopt the resolutions.

4. [17-0002](#) RESOLUTION NO. 2017-018 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)

Recommended Action: Council adopt the resolution.

- 5. [17-0015](#) RESOLUTION NO. 2017-019 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)

Recommended Action: Council adopt the resolution.

- 6. [17-0011](#) RESOLUTION NO. 2017-020 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)

Recommended Action: Council adopt the resolution.

Approval of the Consent Calendar

ACTION: A motion was made by Deputy Mayor McCann, seconded by Councilmember Padilla, 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

There were none.

PUBLIC COMMENTS

Dick Wold, Chula Vista resident and spokesperson on behalf of the following individuals, expressed concern regarding vegetation that may pose fire danger and spoke in support of citywide abatement of hazardous vegetation:

- Michele Wold, Bonita resident*
- Belinda Fontes*
- Raul Fontes*
- Walter Boguey*
- Jon Tate*
- Joseph Griffin, Bonita resident*
- Karen McCabe, Bonita resident*
- Caroline Prime, Bonita resident*
- Natalie Jones*
- Kevin Jones, Chula Vista resident*

At the request of Mayor Casillas Salas, there was consensus of the Council to make a referral to staff to provide a report to the Council at the next Council meeting regarding the concerns raised by Mr. Wold.

ACTION ITEMS

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

Item 7 was not heard and was continued to the meeting of February 7, 2017.

CITY MANAGER'S REPORTS

There were none.

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

ACTION: A motion was made by Deputy Mayor McCann, seconded by Councilmember Diaz, that the above appointments be ratified. The motion carried by the following vote:

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

No: 0

Abstain: 0

Mayor Casillas Salas reported on a recent meeting with residents of Floyd Avenue regarding the upcoming rebuilding of the street using Measure P funds. She announced the upcoming Celebration of Champions at the Chula Vista Elite Athlete Training Center. Mayor Casillas Salas reported on her attendance at the recent All Peoples Breakfast and paid tribute to Martin Luther King, Jr.

COUNCILMEMBERS' COMMENTS

Councilmember Aguilar announced an upcoming community meeting regarding community concern related to a neighborhood bar.

Councilmember Padilla reported on his recent attendance at the All Peoples Breakfast and paid tribute to Martin Luther King, Jr. He introduced Senior Council Aide, Tony Cruz, who would be working with his office.

Deputy Mayor McCann thanked Mr. Wold for his presentation and stated he supported the referral that Mayor Casillas Salas had made to staff. He thanked those who participated in Martin Luther King, Jr. Day celebrations and acts of service.

City Attorney Googins announced that the Council would convene in closed session to discuss the items listed below.

Mayor Casillas Salas recessed the meeting at 5:49 p.m. The Council reconvened in Closed Session at 6:02 p.m., with all members present.

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.

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

**ACTION: Items 9A and 9B: Reportable action is pending finalization of settlement agreement.
Items 9C and 9D: No reportable action.**

ADJOURNMENT

At 6:52 p.m., Mayor Casillas Salas adjourned the meeting to the Regular City Council Meeting on February 7, 2017, at 5:00 p.m., in the Council Chambers.

Kerry K. Bigelow, Assistant City Clerk