

City of Chula Vista

Meeting Minutes - Final

Tuesday, April 14, 2015

4:00 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 4:01 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.

ROLL CALL:

Present: Councilmember Aguilar, Deputy Mayor Bensoussan, Councilmember McCann, Councilmember Miesen and Mayor Salas

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

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Councilmember Aguilar led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

Item I was taken out of order and heard before Item A.

I. [15-0064](#) PRESENTATION OF THE RIDA DEVELOPMENT CORPORATION BY CHIEF EXECUTIVE OFFICER, IRA MITZNER

Port Commissioner Ann Moore introduced Ira Mitzner, Chief Executive Officer of RIDA Development Corporation. Mr. Mitzner played a video with examples of other RIDA Development projects, gave a presentation on the organization, and spoke regarding Chula Vista's Bayfront.

Mayor Salas announced that Items 20 and 21 would be continued to a future date.

A. [15-0122](#) PRESENTATION BY POLICE CHIEF BEJARANO OF EMPLOYEE OF THE MONTH SHELLY ROBILLARD, SECRETARY

Police Captain Kennedy introduced employee of the month Shelly Robillard. Mayor Salas read the proclamation and Councilmember Aguilar presented it to Ms. Robillard.

B. [15-0128](#) PRESENTATION OF A PROCLAMATION TO CHULA VISTA POLICE DISPATCH SUPERVISOR CARLA EVEN, PROCLAIMING APRIL 12 THROUGH APRIL 18, 2015 AS NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK IN THE CITY OF CHULA VISTA

Mayor Salas read the proclamation and Deputy Mayor Bensoussan presented it to Police Dispatch Supervisor Even.

- C. [15-0093](#) PRESENTATION OF A PROCLAMATION TO SOUTHWESTERN SUN STUDENT EDITOR LINA CHANKAR FOR BEING NAMED 2014/2015 NATIONAL COLLEGE REPORTER OF THE YEAR BY THE ASSOCIATED COLLEGIATE PRESS

Mayor Salas read the proclamation and Councilmember McCann presented it to Ms. Chankar.

- D. [15-0097](#) PRESENTATION OF A PROCLAMATION TO TREE SAN DIEGO PRESIDENT LAURIE BROEDLING PROCLAIMING FRIDAY, APRIL 24, 2015 AS ARBOR DAY IN THE CITY OF CHULA VISTA

Mayor Salas read the proclamation and Councilmember Miesen presented it to Ms. Broedling.

- E. [15-0098](#) PRESENTATION OF A PROCLAMATION TO CSA SAN DIEGO COUNTY EXECUTIVE DIRECTOR ESTELA DE LOS RIOS, EXECUTIVE BOARD PRESIDENT JOSE PRECIADO AND EXECUTIVE FAIR HOUSING DIRECTOR YVONNE KOVATCH PROCLAIMING APRIL 2015 AS FAIR HOUSING MONTH IN THE CITY OF CHULA VISTA

Mayor Salas read the proclamation and Councilmember Aguilar presented it to Ms. de los Rios.

- F. [15-0126](#) PRESENTATION OF AN EPA CLIMATE LEADERSHIP AWARD FOR THE SAN DIEGO REGIONAL CLIMATE COLLABORATIVE BY LAURA ENGEMAN, COLLABORATIVE MANAGER, AND RECOGNITION OF CHULA VISTA'S CONTRIBUTIONS AS A FOUNDING MEMBER OF THE COLLABORATIVE

Laura Engeman, Collaborative Manager, representing the San Diego Regional Climate Collaborative, presented the City with an EPA Climate Leadership Award.

- G. [15-0135](#) EMPLOYEE SERVICE RECOGNITION HONORING STAFF WITH MILESTONE SERVICE ANNIVERSARIES

City Manager Halbert recognized City staff with milestone work anniversaries in the first quarter of 2015.

- H. [15-0144](#) PRESENTATION OF A PROCLAMATION PROCLAIMING TUESDAY, APRIL 7, 2015 AS NATIONAL SERVICE RECOGNITION DAY IN THE CITY OF CHULA VISTA

Mayor Salas read the proclamation and Deputy Mayor Bensoussan presented it to volunteers of the City.

Item I was taken out of order and heard before Item A.

CONSENT CALENDAR (Items 1 - 18)

Items 9 and 14 were removed from the Consent Calendar by Mayor Salas and Councilmember Aguilar, respectively.

1. [15-0140](#) APPROVAL OF MINUTES OF MARCH 17, AND APRIL 2, 2015

Recommended Action: Council approve the minutes.

2. [15-0112](#) WRITTEN COMMUNICATIONS

A. Memorandum from Councilmember Aguilar requesting an excused absence from the March 17, 2015 City Council meeting.

B. Letter of resignation from Aliitama Sotoa, Board of Ethics.

C. Letter of resignation from Georgie Stillman, Historic Preservation Commission.

D. Letter of resignation from Joseph Boehm, Parks and Recreation Commission.

Recommended Action: Council excuse the absence and accept the resignations.

3. [15-0143](#) ORDINANCE NO. 3338 OF THE CITY OF CHULA VISTA REPEALING SECTION 10.68.500 (SUNSET CLAUSE) OF CHAPTER 10.68 (CAR SHARING PROGRAM AND PERMIT) OF THE CHULA VISTA MUNICIPAL CODE (SECOND READING AND ADOPTION)

Recommended Action: Council adopt the ordinance.

4. [15-0087](#) ORDINANCE NO. 3339 OF THE CITY OF CHULA VISTA APPROVING AMENDMENTS TO CHULA VISTA MUNICIPAL CODE CHAPTER 19.09 (GROWTH MANAGEMENT) (SECOND READING AND ADOPTION)

Recommended Action: Council adopt the ordinance.

5. [15-0102](#) RESOLUTION NO. 2015-064 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AFFORDABLE HOUSING REGULATORY AGREEMENT RELATED TO LAKE POINTE BETWEEN THE CITY AND LENNAR HOMES OF CALIFORNIA, INC. AND AUTHORIZING THE CITY MANAGER TO RELEASE THE ATTENDANT SECURITY AGREEMENT AND BOND UPON COMPLETION OF THE RECORDATION OF THE REGULATORY AGREEMENT AND PAYMENT OF THE IN-LIEU FEE TO THE CITY'S INCLUSIONARY FUND AS PROVIDED FOR IN THE REGULATORY AGREEMENT (Continued from March 17, 2015)

Recommended Action: Council adopt the resolution.

6. [15-0058](#) RESOLUTION NO. 2015-065 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2014/2015 CIP BUDGET AND ESTABLISHING A NEW CAPITAL IMPROVEMENT PROJECT "EMERGENCY STORM DRAIN REPAIRS AT 1515 OLEANDER AVENUE" (DR201); APPROPRIATING \$191,987 FROM THE AVAILABLE BALANCE OF THE GAS TAX FUND TO CIP DR201; ACCEPTING THE FINAL REPORT OF EXPENDITURES FOR DR201; MAKING A FINDING THAT AN EMERGENCY EXISTED; AND RATIFYING THE CONTRACT WITH TC CONSTRUCTION, INC. FOR SAID EMERGENCY REPAIR (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

7. [15-0061](#) RESOLUTION NO. 2015-066 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT WITH SAN DIEGO MECHANICAL ENERGY IN THE AMOUNT OF \$62,128 TO UPGRADE THE CENTRAL PLANT CONTROLS AT THE POLICE HEADQUARTERS

Recommended Action: Council adopt the resolution.

8. [15-0100](#) RESOLUTION NO. 2015-067 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING MULTIPLE PROPOSAL SUBMITTALS TO THE SAN DIEGO FOUNDATION AND THE SAN DIEGO REGIONAL CLIMATE COLLABORATIVE'S BUILDING REGIONAL RESILIENCE GRANT PROGRAM

Recommended Action: Council adopt the resolution.

Item 9 was removed from the Consent Calendar.

10. [15-0113](#) RESOLUTION NO. 2015-069 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE PURCHASE OF TWO (2) COMBINATION SEWER CLEANING TRUCKS IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE CITY OF VENTURA BID NUMBER B-130000153 AND PURCHASE ORDER NUMBER 100002553, AND THE CITY OF ESCONDIDO BID NUMBER 13-07, 2014 AND PURCHASE ORDER NUMBER ESC-0000034389

Recommended Action: Council adopt the resolution.

11. [15-0115](#) RESOLUTION NO. 2015-070 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA REJECTING ALL BIDS FOR THE "OUTDOOR SOCCER ARENA RENOVATIONS" (PR322) PROJECT AT SALT CREEK PARK AND DIRECTING STAFF TO RE-ADVERTISE THE PROJECT

Recommended Action: Council adopt the resolution.

12. [15-0116](#) RESOLUTION NO. 2015-071 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE PURCHASE OF TWO (2) VEHICLES FROM NATIONAL AUTO FLEET GROUP IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF NATIONAL JOINT POWERS AUTHORITY BID NUMBER 102811 AND ONE (1) VEHICLE FROM ALTEC, INC. IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF NATIONAL JOINT POWERS AUTHORITY BID NUMBER 031014 AND APPROPRIATING \$180,000 TO THE EQUIPMENT REPLACEMENT FUND (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

13. [15-0099](#) ORDINANCE OF THE CITY OF CHULA VISTA AMENDING VARIOUS SECTIONS OF CHULA VISTA MUNICIPAL CODE CHAPTER 2.52 TO ADJUST THE CAMPAIGN CONTRIBUTION LIMIT FOR ANY ELECTION HELD ON OR AFTER JANUARY 1, 2016 (FIRST READING)

Recommended Action: Council place the ordinance on first reading.

Item 14 was removed from the Consent Calendar.

15. [15-0107](#) RESOLUTION NO. 2015-073 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$16,000 FROM THE COUNTY OF SAN DIEGO AND \$173,188 FROM THE CITY OF SAN DIEGO AND APPROPRIATING \$69,188 TO THE POLICE GRANT FUND FOR THE PUBLIC SAFETY REALIGNMENT (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

16. [15-0109](#) A. RESOLUTION NO. 2015-074 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE FORMAL BID REQUIREMENT AND AUTHORIZING THE CITY TO PURCHASE UNIFORMS FROM ACE UNIFORMS

B. RESOLUTION NO. 2015-075 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE FORMAL BID REQUIREMENT AND AUTHORIZING THE CITY TO RECEIVE SERVICES FROM MERZ CONSTRUCTION COMPANY FOR CAPITAL IMPROVEMENT PROJECTS

Recommended Action: Council adopt the resolutions.

17. [15-0132](#) RESOLUTION NO. 2015-076 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA REJECTING THE BID OF THE FIRST LOW BIDDER AS NON-RESPONSIVE ACCEPTING AND AWARDDING THE "PLAYGROUND EQUIPMENT AND INSTALLATION" PROJECT (PR320) TO PACIFIC PLAY SYSTEMS TO FURNISH AND INSTALL PLAYGROUND FACILITIES AT VALLE LINDO, LOS NINOS AND LOMA VERDE PARKS

Recommended Action: Council adopt the resolution.

18. [15-0133](#) RESOLUTION NO. 2015-077 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT TO PROVIDE SEWER AND PARKING CITATION BILLING SERVICES BETWEEN THE CITY AND INFOSEND, INC. AND AUTHORIZING THE CITY MANAGER TO EXERCISE TWO ONE-YEAR OPTIONS TO EXTEND THE AGREEMENT

Recommended Action: Council adopt the resolution.

Approval of the Consent Calendar

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

No: 0

Abstain: 0

ITEMS REMOVED FROM THE CONSENT CALENDAR

9. [15-0103](#) RESOLUTION NO. 2015-068 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE FISCAL YEAR 2014/2015 CIP BUDGET BY ESTABLISHING A NEW CIP PROJECT "THIRD AVENUE STREETScape IMPROVEMENT PROJECT PHASE 3 (STL406)," APPROPRIATING \$150,000 FROM THE AVAILABLE BALANCE OF THE TRANSNET FUND TO STL406, APPROVING THE AMENDMENT OF THE TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2014/2015 THROUGH 2018/2019 TO ADD FUNDING FOR CHV73 FOR INCLUSION IN THE REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM, AND PROVIDING THE CERTIFICATION AND INDEMNITY STATEMENTS NECESSARY TO OBTAIN TRANSNET FUNDS (4/5 VOTE REQUIRED) (Continued from March 17, 2015)

Mayor Salas stated she would abstain from voting on Item 9 due to a potential property-related conflict of interest.

ACTION: A motion was made by Councilmember McCann, seconded by Deputy Mayor Bensoussan, that Resolution No. 2015-068 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, McCann and Miesen

No: 0

Abstain: 1 - Salas

14. [15-0104](#) RESOLUTION NO. 2015-072 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$566,925 FROM THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES, WAIVING THE CONSULTANT SELECTION PROCESS, APPROVING THE CONTRACTUAL AGREEMENT WITH SOUTH BAY COMMUNITY SERVICES AND APPROPRIATING \$94,488 TO THE POLICE GRANT FUND FOR THE DOMESTIC VIOLENCE RESPONSE TEAM (4/5 VOTE REQUIRED)

In response to questions from Councilmember Aguilar, Administrative Services Administrator Alegre provided information on the item.

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Aguilar, that Resolution No. 2015-072 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, McCann, Miesen and Salas

No: 0

Abstain: 0

PUBLIC COMMENTS (Part 1 of 2)

Drew Norhal, Chula Vista resident, expressed concern regarding erosion and issues related to homelessness near his property.

Part 2 of Public Comments was taken after Item 21.

PUBLIC HEARINGS (Part 1 of 2)

19. [14-0604](#) CONSIDERATION OF AMENDMENTS TO THE URBAN CORE SPECIFIC PLAN AND RELATED REZONING ACTIONS
- A. ORDINANCE OF THE CITY OF CHULA VISTA ADOPTING AMENDMENTS TO THE URBAN CORE SPECIFIC PLAN TO: 1) REZONE CERTAIN APARTMENT RESIDENTIAL (R-3) ZONED PARCELS AND CERTAIN COMMERCIAL ZONED PARCELS FOR CONSISTENCY WITHIN THEIR UCSP SUBDISTRICT AREA EXCLUDING THE FOLLOWING SUBDISTRICTS: V-1; V-2; V-3; UC-12; AND UC-14; 2) REMOVE THE MINIMUM FLOOR AREA RATIO IN CERTAIN SUBDISTRICTS; 3) REMOVE LOT COVERAGE AS A MANDATORY DEVELOPMENT STANDARD; AND 4) MAKE MINOR MODIFICATIONS TO ENSURE CONSISTENCY WITH CITY POLICIES, PROCEDURES, AND PROCESSES (FIRST READING)

B. ORDINANCE OF THE CITY OF CHULA VISTA ADOPTING AMENDMENTS TO THE URBAN CORE SPECIFIC PLAN TO: 1) REZONE CERTAIN APARTMENT RESIDENTIAL (R-3) ZONED PARCELS AND CERTAIN COMMERCIAL ZONED PARCELS FOR CONSISTENCY WITHIN THEIR UCSP AREA; 2) REMOVE THE MINIMUM FLOOR AREA RATIO IN CERTAIN SUBDISTRICTS; 3) REMOVE LOT COVERAGE AS A MANDATORY DEVELOPMENT STANDARD; AND 4) MAKE MINOR MODIFICATIONS TO ENSURE CONSISTENCY WITH CITY POLICIES, PROCEDURES, AND PROCESSES (FIRST READING)

C. ORDINANCE OF THE CITY OF CHULA VISTA ADOPTING AMENDMENTS TO THE URBAN CORE SPECIFIC PLAN LAND USE MATRIX TO ALLOW CERTAIN DELETIONS AND ADDITIONS OF LAND USES AND PERMIT PROCESSES (FIRST READING)

D. RESOLUTION NO. 2015-078 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA FINDING THAT THE REZONING OF PROPERTIES CURRENTLY BEING OPERATED AS TRAILER PARKS HAVE COMPLIED WITH REQUIRED PROVISIONS OF LUT SECTION 7.17 OF THE CHULA VISTA GENERAL PLAN

Councilmember Miesen stated he would abstain from voting on Item 19 due to a potential financial-related conflict of interest. He left the dais during discussion and voting on the item.

Mayor Salas stated she would abstain from voting on Item 19 B through D due to a potential property-related conflict of interest.

Development Services Director Broughton introduced the item and provided information on public feedback that had been received related to the item.

Senior Planner Walker gave a presentation on the item.

Mayor Salas opened the public hearing.

Matt Adams, representing the Building Industry Association of California, spoke in support of staff's recommendation and commended City staff for their work.

Kevin O'Neill, Chula Vista resident, spoke in support of staff's recommendation.

Jeff Stephenson, Chula Vista resident, expressed support for additional grocery stores in Chula Vista.

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

Staff responded to questions and comments from the Council.

Councilmember McCann spoke in support of the Urban Core Specific Plan and also promoting new stores, restaurants, and quality housing.

Deputy Mayor Bensoussan stated she generally supported staff's recommendation and made the following comments and recommendations on the Draft Chula Vista Urban Core Specific Plan:

- Spoke in opposition to changing parking requirements near transit;
- Allow for flexibility and anticipate growth in the areas that are not addressed;
- Address inaccuracies and add all of Chula Vista's historic-designated sites to Figure 4.5;
- Reference the most recent historic resources survey and refer to the historic preservation ordinance;
- Update the SWOT analysis on page IV-21 to include current information, including marketing, branding, and environmental tourism;
- Evaluate Figure 5.25, regarding parking on 3rd Avenue, to determine its current applicability and whether the plan is already addressed in the Streetscape Master Plan;
- She expressed concern regarding the implementation and oversight of the Land Use Matrix, as well as existing non-conforming uses, especially in the V-2 district. She spoke in support of additional flexibility in the V-1 district.
- She referenced an ATM that was installed in a vintage building facade and expressed concern regarding permitted commercial uses in the V-2, V-3, and V-4 districts, unless design guidelines are implemented;
- Allow some non-permitted uses V-1 district, such as galleries, artisanal shops, small restaurants, and other flexible uses.
- Develop specific plans for marijuana stores, should the sale of marijuana be legalized in the future. City Manager Halbert responded that the state would be creating model regulations.
- Specify specific brew house and tasting room uses in the municipal code, as suggested by Development Services Director Broughton;
- Allow coffee houses and cafes in the V-1 district;
- Proactively engage in outreach efforts, as suggested by Development Services Director Broughton, to ensure design guidelines are used, monitored, and adhered to;
- Review page VIII-8, regarding the reference to two travel lanes between G Street and K Street, for accuracy;
- Ensure the implementation of the Design Review Process, referenced on page XI-4;
- Correct outdated information in the appendix and include a table of contents; and
- Allow plazas smaller than 5,000 square feet.

Councilmember Aguilar made the following comments and recommendations on the Draft Chula Vista Urban Core Specific Plan:

- Allow some residential along H Street;
- She expressed concern regarding the low minimum parking requirement in the Transit Focus Areas;
- Bring document up to date to include historic-related information, in agreement with Deputy Mayor Bensoussan's recommendation;
- Implement minimum parking requirements that reflect the current parking need in the Village Area, rather than anticipated future needs that may be lower; and
- Analyze referenced park sites for feasibility when developing the Parks and Recreation Master Plan.

City Manager Halbert stated that staff would provide responses to Council comments and suggestions on the item.

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Aguilar, that the ordinance listed above as Item 19A be placed on first reading, heading read, text waived, and that a referral be made to the City Manager to provide responses to Councilmember recommendations on the item. The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, McCann and Salas

No: 0

Abstain: 1 - Miesen

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Aguilar, that the ordinances listed above as Items 19B and 19C be placed on first reading and Resolution No. 2015-078 (Item 19D) be adopted, headings read, text waived, and that a referral be made to the City Manager to provide responses to Councilmember recommendations on the items. The motion carried by the following vote:

Yes: 3 - Aguilar, Bensoussan and McCann

No: 0

Abstain: 2 - Miesen and Salas

20. [15-0076](#) CONSIDERATION OF THE PROPOSED ASSESSMENT OF CERTAIN DELINQUENT SEWER SERVICE CHARGES AS RECORDED LIENS

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ASSESSING CERTAIN DELINQUENT SEWER SERVICE CHARGES AS RECORDED LIENS UPON THE RESPECTIVE OWNER-OCCUPIED PARCELS OF LAND AND APPROVING THE PLACEMENT OF DELINQUENT CHARGES ON THE NEXT REGULAR TAX BILL FOR COLLECTION

Mayor Salas stated that Item 20 would be continued to a future meeting.

21. [15-0077](#) CONSIDERATION OF THE PROPOSED ASSESSMENT OF CERTAIN DELINQUENT SOLID WASTE SERVICE CHARGES AS RECORDED LIENS

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ASSESSING CERTAIN DELINQUENT SOLID WASTE SERVICE CHARGES AS RECORDED LIENS UPON THE RESPECTIVE PARCELS OF LAND AND APPROVING THE PLACEMENT OF DELINQUENT CHARGES ON THE NEXT REGULAR TAX BILL FOR COLLECTION

Mayor Salas stated that Item 21 would be continued to a future meeting.

Part 2 of Public Hearings was taken after Part 2 of Public Comments.

PUBLIC COMMENTS (Part 2 of 2)

Janet Wessels, Chula Vista resident, expressed concern regarding issues related to homelessness.

PUBLIC HEARINGS (Part 2 of 2)

22. [15-0121](#) CONSIDERATION OF WAIVING A MINOR MATHEMATICAL ERROR IN THE BID RECEIVED FOR THE "THIRD AVENUE STREETScape IMPROVEMENT PROJECT, PHASE II

RESOLUTION NO. 2015-079 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING A MINOR MATHEMATICAL ERROR; APPROPRIATING \$150,000 FROM THE AVAILABLE BALANCE OF THE GAS TAX FUND TO CAPITAL IMPROVEMENT PROJECT STL400; ACCEPTING BIDS; AWARDING A CONTRACT FOR THE "THIRD AVENUE STREETScape IMPROVEMENT PROJECT, PHASE II, FROM NORTH OF MADRONA STREET TO "F" STREET (CIP#STL400)" TO PALM ENGINEERING CONSTRUCTION CO., INC. IN THE AMOUNT OF \$2,295,775.55; AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO EXECUTE ALL CHANGE ORDERS; AND AUTHORIZING THE EXPENDITURE OF ALL AVAILABLE CONTINGENCY FUNDS IN THE AMOUNT NOT TO EXCEED \$230,000 (4/5 VOTE REQUIRED)

Mayor Salas stated she would abstain from voting on Item 22 due to a potential property-related conflict of interest. She left the dais during discussion and voting on the item.

Councilmember Miesen returned to the dais.

Principal Civil Engineer Gomez gave a presentation on the item.

Deputy Mayor Bensoussan opened the public hearing. There being no comments from members of the public, Deputy Mayor Bensoussan closed the public hearing.

Principal Civil Engineer Gomez and Public Works Director Hopkins responded to questions from Deputy Mayor Bensoussan and Councilmember Aguilar.

ACTION: A motion was made by Councilmember McCann, seconded by Councilmember Aguilar, that Resolution No. 2015-079 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, McCann and Miesen

No: 0

Abstain: 1 - Salas

Mayor Salas returned to the dais.

At the request of Mayor Salas, there was consensus of the Council to take Item 25 out of order and discuss it following Item 22.

MAYOR'S REPORTS (Part 1 of 2)

25. [15-0147](#) RESOLUTION NO. 2015-082 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA SUPPORTING CERTAIN EXECUTIVE ACTIONS ON IMMIGRATION TAKEN BY PRESIDENT OBAMA ON NOVEMBER 20, 2014

Councilmember McCann stated he would be abstaining from voting on the item due to his military affiliation. He left the dais during discussion and voting on the item.

Mayor Salas spoke regarding the item.

The following members of the public spoke in support of adoption of the proposed resolution:

- Pedro Rios, Chula Vista resident, representing American Friend Service Committee and San Diego Immigration Rights Organization
- Bridgette Browning, who provided English translation for speaker Silvia Ocampo, San Diego Resident, representing Unite HERE Local 30
- Elena Smith, San Diego resident, representing Unite HERE Local 30, and spoke on behalf of union member Rico
- Abu Doumbia, San Diego Resident, representing Unite HERE Local 30

The following members of the public submitted written documentation in support of adoption of the proposed resolution:

- Erin Tsurumoto Grassi, San Diego Resident, representing Alliance San Diego
- Oscar Picaro, San Diego Resident, representing San Diego Labor Council
- Francisco Herrerias, Chula Vista resident
- Ma. Jeniffer Arca, Chula Vista resident
- Michelle Gutierrez, San Diego Resident, representing Unite HERE Local 30
- Martin Duarte, San Diego resident, representing Unite HERE Local 30
- Lisseika Cebollos, San Diego resident, representing Unite HERE Local 30
- Sandra Lomelo, San Diego resident, representing Unite HERE Local 30
- Erinn Carter, San Diego resident, representing Unite HERE Local 30
- Eve Mendez, San Diego resident, representing Unite HERE Local 30
- Ramon E. Valverde, San Diego resident
- Jessica Marin, San Diego resident, representing Justice Overcoming Boundaries
- Christian Ramirez, San Diego resident, representing Alliance San Diego
- Marisol Solano Escamilla, Chula Vista resident, representing Unite HERE Local 30
- Jose Rodriguez Perez, National City resident, representing Labor Council of San Diego & Imperial Counties

Councilmember Bensoussan read a letter from Arnulfo Manriquez, President & CEO, representing MAAC, in support of the adoption of the proposed resolution.

City Attorney Googins explained the action of the proposed resolution and stated it did not sign the City on to the amicus brief. He stated that if the item was approved, Mayor Salas could forward the resolution to appropriate parties, as desired.

At the request of Councilmember Miesen, there was consensus of the Council to amend the proposed resolution to include the issuance of a request to members of Congress that urges Congress to work together in a bipartisan manner toward comprehensive immigration reform.

ACTION: A motion was made by Mayor Salas, seconded by Deputy Mayor Bensoussan, that Resolution No. 2015-082 be adopted as amended, heading read, text waived. The motion carried by the following vote:

Yes: 4 - Aguilar, Bensoussan, Miesen and Salas

No: 0

Abstain: 1 - McCann

ACTION ITEMS

23. [15-0130](#) CONSIDERATION OF AMENDING THE CHULA VISTA MUNICIPAL CODE RELATING TO DEVELOPMENT IMPACT FEES

ORDINANCE OF THE CITY OF CHULA VISTA ADDING CHAPTER 3.56 TO THE CHULA VISTA MUNICIPAL CODE RELATING TO DEVELOPMENT IMPACT FEES IN WESTERN CHULA VISTA (FIRST READING)

Interim Economic Development Director Crockett presented information on the item.

The following members of the public spoke in support of staff's recommendation:

- Matt Adams, representing the Building Industry Association
- Ian Gill, San Diego resident, representing Silvergate Development, LLC, Development Services Oversight Committee
- Kevin O'Neill, Chula Vista resident

Cindy Gompper-Graves, representing the South County Economic Development Council, submitted written documentation in support of staff's recommendation and was not present to speak.

Interim Economic Development Director Crockett responded to questions from the Council regarding fees related to development.

Deputy City Attorney Miller provided information regarding the proposed ordinance.

ACTION: A motion was made by Deputy Mayor Bensoussan, seconded by Councilmember McCann, that the above ordinance be placed on first reading, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, McCann, Miesen and Salas

No: 0

Abstain: 0

24. [15-0105](#) CONSIDERATION OF APPROVING THE PROPOSED CONTRACTS FOR PROFESSIONAL CONSULTING SERVICES RELATED TO CONTINUED PLANNING AND IMPLEMENTATION OF THE UNIVERSITY AND INNOVATION DISTRICT

A. RESOLUTION NO. 2015-080 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE FORMAL SELECTION PROCESS, APPROVING A TWO-PARTY AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND U3 ADVISORS FOR CONSULTING SERVICES RELATED TO THE ESTABLISHMENT OF THE CHULA VISTA UNIVERSITY PARTNERSHIP AND ASSISTANCE IN THE UNIVERSITY RECRUITMENT PROCESS, AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT

B. RESOLUTION NO. 2015-081 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE FORMAL SELECTION PROCESS, APPROVING A TWO-PARTY AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND AYERS SAINT GROSS FOR CONSULTING SERVICES RELATED TO THE ESTABLISHMENT OF A SECTIONAL PLANNING AREA PLAN AND DEVELOPMENT OF VISION DOCUMENTS FOR THE UNIVERSITY AND INNOVATION DISTRICT, AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT

City Manager Halbert and Principal Planner Donaghe presented information on the item.

In response to Councilmember Aguilar, Omar Blaik, Co-Chief Executive Officer, representing U3 Advisors, spoke regarding the hiring of a local consultant under the proposed contract.

In response to Councilmember Aguilar, Adam Glaser, representing Ayers Saint Gross Architects, spoke regarding the workshops referenced in the proposed contract.

ACTION: A motion was made by Deputy Mayor Bensoussan, seconded by Councilmember McCann, that Resolution Nos. 2015-080 and 2015-081 be adopted, headings read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Bensoussan, McCann, Miesen and Salas

No: 0

Abstain: 0

CITY MANAGER'S REPORTS

There were none.

MAYOR'S REPORTS (Part 2 of 2)

Item 25 was taken out of order and discussed following Item 22.

At the request of Mayor Salas, there was consensus of the Council to make a referral to the City Attorney to bring an item for Council consideration to include Cesar Chavez as a holiday in the Chula Vista Municipal Code, in relation to vehicles and traffic, as well as reviewing the existing code for any other applicable holidays that should be included.

Mayor Salas spoke regarding the current drought situation and Governor Brown's executive order to reduce water use. She stated that the City is proactively responding to the drought order.

COUNCILMEMBERS' COMMENTS

Deputy Mayor Bensoussan announced the upcoming annual Immigration forum on April 18, 2015.

Councilmember McCann announced National Volunteer Week and encouraged residents to engage in volunteer activities.

Mayor Salas stated the meeting would be adjourned in memory of Lowell Blankfort and Gus Pappas.

City Attorney Googins announced the upcoming Council Workshop on May 14, 2015, at which training would be provided on The Ralph M. Brown Act and Ethics.

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

Councilmember Miesen stated he would abstain from discussion and voting on Item 26B, since he had been appointed to the Council and the matter was related to the appointment process.

At 9:02 p.m., the Council convened in Closed Session with all members present, except Councilmember Miesen.

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.

- 26. [15-0138](#)** CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (a)

Name of case:

A) John Hess v. Dave Hanneman, et al., United States District Court, Case No. 14cv2271 CAB JMA;

B) Chris Shilling, et al. v. City of Chula Vista, et al., San Diego Superior Court, Case No. 37-2015-00006097-CU-MC-CTL

C) City of Chula Vista v. Bay & E, Inc., et al., San Diego Superior Court, Case No. 37-2013-00055103-CU-MC-CTL

ACTION: No reportable action.

ADJOURNMENT

At 10:20 p.m., Mayor Salas adjourned the meeting to the Regular City Council Meeting on April 21, 2015, at 5:00 p.m., in the Council Chambers.

Kerry K. Bigelow, Assistant City Clerk