

# City of Chula Vista

## Meeting Minutes - Draft

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Tuesday, March 15, 2016

5:00 PM

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

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### SPECIAL MEETING OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA, MEETING JOINTLY WITH THE CITY COUNCIL OF THE CITY OF CHULA VISTA, THE CHULA VISTA MUNICIPAL FINANCING AUTHORITY, AND THE CHULA VISTA PUBLIC FINANCING AUTHORITY

#### CALL TO ORDER

*A Special Meeting of the Successor Agency to the Redevelopment Agency and Regular Meetings of the City Council, Municipal Financing Authority, and Public Financing Authority of the City of Chula Vista, were called to order at 5:02 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, City Clerk Norris, and Assistant City Clerk Bigelow*

#### PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

*Councilmember McCann led the Pledge of Allegiance.*

#### SPECIAL ORDERS OF THE DAY

- A. [16-0121](#) PRESENTATION BY LIBRARY DIRECTOR BETTY WAZNIS, CHULA VISTA ELEMENTARY SCHOOL DISTRICT SUPERINTENDENT DR. FRANCISCO ESCOBEDO, AND QUALCOMM INC. SENIOR DIRECTOR, GOVERNMENT AFFAIRS ED HILDAGO REGARDING THINKABIT LAB AT THE CIVIC CENTER BRANCH LIBRARY

*Library Director Waznis, Mr. Hidalgo, representing Qualcomm, and Dr. Escobedo, representing the Chula Vista Elementary School District, gave a presentation on Thinkabit Labs and the new Lab to be installed at the Civic Center branch library.*

#### CONSENT CALENDAR (Items 1 - 8)

1. [16-0143](#) APPROVAL OF MINUTES of March 8, 2016.  
**Recommended Action: Council approve the minutes.**
2. [16-0141](#) WRITTEN COMMUNICATIONS  
Letter of resignation from Yoana Bandala, International Friendship Commission  
**Recommended Action: Council accept the resignation.**

3. [15-0560](#) RESOLUTION NO. 2016-043 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AGREEMENTS WITH BWE, INC.; DOKKEN ENGINEERING, INC.; AND PSOMAS FOR PROFESSIONAL LAND SURVEYING CONSULTING SERVICES REQUIRED FOR VARIOUS CAPITAL IMPROVEMENT PROGRAM PROJECTS AND OTHER CITY PROJECTS DURING THE DESIGN AND CONSTRUCTION PHASES

**Recommended Action: Council adopt the resolution.**

4. [16-0051](#) RESOLUTION NO. 2016-044 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS; AWARDED A CONTRACT FOR THE "MOSS STREET SIDEWALK INSTALLATION NORTH AND SOUTH OF MOSS STREET FROM BROADWAY TO FOURTH AVENUE (CIP #STL366)" PROJECT TO TRI-GROUP CONSTRUCTION AND DEVELOPMENT, INC. IN THE AMOUNT OF \$481,872.00; WAIVING CITY COUNCIL POLICY NO. 574-01; AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO EXECUTE ALL CHANGE ORDERS; AND APPROPRIATING \$65,000 FROM THE AVAILABLE BALANCE OF THE TRANSNET FUND TO THE "BROADWAY STREET IMPROVEMENTS BETWEEN MAIN STREET AND SOUTH CITY LIMITS (CIP #STM381)" PROJECT (4/5 VOTE REQUIRED)

**Recommended Action: Council adopt the resolution.**

5. [16-0132](#) RESOLUTION NO. 2016-045 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE FORMAL BID REQUIREMENT TO RECEIVE SERVICES FROM DION INTERNATIONAL TRUCKS FOR REPAIRS TO INTERNATIONAL BRAND TRUCKS AND FROM SOUTH COAST EMERGENCY VEHICLE SERVICES FOR REPAIRS TO FIRE-FIGHTING TRUCKS

**Recommended Action: Council adopt the resolution.**

6. [16-0063](#) A. RESOLUTION NO. 2016-046 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACKNOWLEDGING RECEIPT OF COUNCIL POLICY NO. 220.01, THE CITY OF CHULA VISTA INVESTMENT POLICY AND GUIDELINES; AMENDING THE EXISTING POLICY; AND DELEGATING INVESTMENT ACTIVITY AUTHORITY TO THE DIRECTOR OF FINANCE/TREASURER

B. INVESTMENT REPORT FOR THE QUARTER ENDED DECEMBER 31, 2015

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

7. [16-0114](#) A. MFA RESOLUTION NO. 2016-001 OF THE CHULA VISTA MUNICIPAL FINANCING AUTHORITY ESTABLISHING REGULAR MEETING DATES

B. PFA RESOLUTION NO. 2016-001 OF THE CHULA VISTA PUBLIC FINANCING AUTHORITY ESTABLISHING REGULAR MEETING DATES

**Recommended Action: Authorities adopt the resolutions.**

8. [16-0133](#) RESOLUTION NO. 2016-047 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING ATTORNEY SERVICES EXPENSES TO EXCEED \$50,000 FOR THE CHULA VISTA OLYMPIC TRAINING CENTER PROJECT

**Recommended Action: Council adopt the resolution.**

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**

*There were none.*

**PUBLIC HEARINGS**

9. [15-0678](#) CONSIDERATION OF AN APPEAL BY KENNY RAY AND MITCHELL COMPTON OF THE ZONING ADMINISTRATOR'S DECISION APPROVING DESIGN REVIEW PERMIT DR15-0010, FOR THE FAÇADE REMODEL OF THE VONS BONITA CENTER

RESOLUTION NO. 2016-048 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DENYING THE APPEAL BY KENNY RAY AND MITCHELL COMPTON AND AFFIRMING THE ZONING ADMINISTRATOR'S APPROVAL OF THE DESIGN REVIEW PERMIT (DR15-0010) FOR THE VONS BONITA CENTER FAÇADE REMODEL, LOCATED AT 4404 BONITA ROAD IN THE CITY OF CHULA VISTA

*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.*

Associate Planner Zumwalt gave a presentation on the item.

Mayor Casillas Salas opened the public hearing.

John Ziebarth, representing DSRG, the applicant, spoke in support of staff's recommendation.

Ken Ray, Bonita resident, spoke in opposition to staff's recommendation.

Mitchell Compton, Bonita resident, submitted a speaker slip and requested to donate his time to Ken Ray, which was granted by Mayor Casillas Salas.

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

Councilmember Bensoussan stated that she met with the applicants regarding the project.

**ACTION:** A motion was made by Mayor Casillas Salas, seconded by Councilmember Aguilar, that Resolution No. 2016-048 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

Item 10 was taken out of order and discussed following Item 12.

12. [16-0015](#) SOLICITATION OF PUBLIC INPUT REGARDING PROPOSED 2016/2017 FUNDING RECOMMENDATIONS FOR U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FEDERAL GRANT PROGRAMS (COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIPS ACT, AND EMERGENCY SOLUTIONS GRANT) AND CONSIDERATION OF ACCEPTANCE OF A REPORT REGARDING 2016/2017 FUNDING REQUESTS AND RECOMMENDATIONS FOR THE AFORMENTIONED HUD FEDERAL GRANT PROGRAMS

Item 12 was noticed as time certain for 6:00 p.m. The item was taken out of order at 6:09 p.m.

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.

Mayor Casillas Salas opened the public hearing.

Chequita Falls, representing Meals-on-Wheels, thanked the Council for its support of Meals-on-Wheels.

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 Deputy Mayor Miesen, that the report be accepted, heading read, text waived. The motion carried by the following vote:

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

**No:** 0

**Abstain:** 0

10. [16-0083](#) CONSIDERATION OF ESTABLISHING COMMUNITY FACILITIES DISTRICT NO. 17-I, DECLARING THE RESULTS OF THE SPECIAL ELECTION WITHIN CFD 17-I AND AUTHORIZING THE LEVY OF SPECIAL TAXES WITHIN CFD 17-I (THE "FORMATION PROCEEDINGS")
- A. RESOLUTION NO. 2016-049 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA FORMING AND ESTABLISHING COMMUNITY FACILITIES DISTRICT NO. 17-I (WESTERN CHULA VISTA DIF FINANCING PROGRAM) AND AUTHORIZING SUBMITTAL OF THE LEVY OF SPECIAL TAXES WITHIN SUCH COMMUNITY FACILITIES DISTRICT TO THE QUALIFIED ELECTORS THEREOF
- B. RESOLUTION NO. 2016-050 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 17 -I (WESTERN CHULA VISTA DIF FINANCING PROGRAM) DECLARING THE RESULTS OF A SPECIAL ELECTION IN SUCH COMMUNITY FACILITIES DISTRICT
- C. ORDINANCE OF THE CITY OF CHULA VISTA ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 17 -I (WESTERN CHULA VISTA DIF FINANCING PROGRAM) AUTHORIZING THE LEVY OF A SPECIAL TAX IN SUCH COMMUNITY FACILITIES DISTRICT (FIRST READING)

*Mayor Casillas Salas introduced Item 10. She stated she would abstain from voting on Item 11 due to a potential property-related conflict of interest, and requested that speakers limit their comments to Item 10 only at that time, and speak to Item 11 separately when that item was heard.*

*Deputy Mayor Miesen stated he would abstain from participating on Items 10 and 11. He had a potential conflict of interest related to a business entity in which he had a financial interest. He left the dais at 6:12 p.m.*

*City Clerk Norris stated that notice of the public hearing had been given in the form and manner as required by law.*

*The hearing was held on the date and no earlier than the time specified in the notice.*

*Mayor Casillas Salas opened the public hearing.*

*City Attorney Googins requested that each speaker give his or her name and address, and state whether he or she was the owner of property within the proposed district or registered to vote at an address within the proposed district.*

*Tino Martinez, representing Southwest Civic Association, stated he resided in the district and did not own property in the district. He spoke in support of staff's recommendation and of residential properties being excluded from the proposed district.*

*James Brown, San Diego resident, spoke in support of deferred development improvement fees.*

*Kevin O'Neill, Chula Vista resident, stated he thought he owned property in the proposed district, and he spoke in support of staff's recommendation.*

*Juanpablo Mariscal, San Diego resident, representing MAR Group, spoke in support of staff's recommendation.*

*Ian Gill, San Diego resident, representing Silvergate Development, LLC, and Development Services Oversight Committee, stated he was not a registered voter in Chula Vista, and he spoke in support of staff's recommendation.*

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

*City Clerk Norris stated no written protests had been received by the City Clerk.*

**ACTION: A motion was made by Mayor Casillas Salas, seconded by Councilmember McCann, that Resolution No. 2016-049 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

*City Clerk Norris stated one ballot was received and canvassed, that three votes were cast in favor of each proposition, no votes were cast in opposition, and that consequently, both ballot propositions had been approved.*

**ACTION: A motion was made by Councilmember Bensoussan, seconded by Mayor Casillas Salas, that Resolution No. 2016-050 be adopted and the above ordinance be placed on first reading, headings read, text waived. The motion carried by the following vote:**

**Yes:** 4 - Aguilar, Bensoussan, McCann and Casillas Salas

**No:** 0

**Abstain:** 1 - Miesen

11. [16-0084](#) CONSIDERATION OF AUTHORIZING THE ANNEXATION IN THE FUTURE OF CERTAIN TERRITORY TO CFD NO. 17-I (THE "FUTURE ANNEXATION AUTHORIZATION PROCEEDINGS")

RESOLUTION NO. 2016-051 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 17-I (WESTERN CHULA VISTA DIF FINANCING PROGRAM), AUTHORIZING THE ANNEXATION OF TERRITORY IN THE FUTURE TO SUCH COMMUNITY FACILITIES DISTRICT

*Mayor Casillas Salas stated she had a property-related conflict of interest on Items 11 and 13, and would abstain from participating on both items. She left the dais at 6:39 p.m.*

*Deputy Mayor Bensoussan introduced the item.*

*City Clerk Norris stated that notice of the public hearing had been given in the form and manner as required by law. She stated that no written protests had been received.*

*The hearing was held on the date and no earlier than the time specified in the notice.*

*Councilmember Bensoussan opened the public hearing and requested that each speaker give his or her name and address, and state whether he or she was the owner of property within the proposed district or registered to vote at an address within the proposed district.*

*Juanpablo Mariscal, Chula Vista resident, spoke in support of staff's recommendation.*

*Ian Gill, San Diego resident, stated he was not registered to vote in the district, and spoke in support of staff's recommendation.*

*There being no other members of the public who wished to speak, Councilmember Bensoussan closed the public hearing.*

*There was consensus of the Council to amend the proposed resolution to require that, in any one year, after a project was approved that put the number of units annexing into CFD 17-I over 200, staff would schedule an action item to be discussed by the Council to address the impacts and the need to continue the district.*

*Councilmember Bensoussan reopened the public hearing.*

*Juanpablo Mariscal, San Diego resident, provided the location of his properties on Third Avenue, and he spoke in opposition to the proposed revision to the proposed resolution.*

*Ian Gill, San Diego resident, spoke regarding the impact of development fees on smaller development projects.*

*James Brown, San Diego resident, spoke in support of staff's recommendation and against the proposed amendments to the resolution.*

*Councilmember Bensoussan closed the public hearing.*

**ACTION:** A motion was made by Councilmember Aguilar, seconded by Councilmember Bensoussan, that Resolution No. 2016-051 be adopted as amended to add a provision that stated in any one year that the number of units annexed into the District exceeded 200, staff would schedule a City Council Action Item to address the effects of the District on public facilities and parks, and to assess the need for the District to continue. The heading was read, text waived. The motion carried by the following vote:

**Yes:** 3 - Aguilar, Bensoussan and McCann

**No:** 0

**Abstain:** 2 - Miesen and Casillas Salas

*Item 12 was taken out of order and discussed following Item 9.*

*Mayor Casillas Salas returned to the dais at 7:40 p.m. Mayor Casillas Salas recessed the meeting at 7:40 p.m. Councilmember Bensoussan reconvened the meeting at 7:46 p.m., with Councilmembers McCann, Miesen, and Bensoussan present. Councilmember Aguilar arrived at 7:47 p.m.*

## **ACTION ITEMS**

13. [16-0124](#) CONSIDERATION OF THE SALE AND EXCHANGE OF A FORMER REDEVELOPMENT AGENCY PARKING LOT FOR A CITY OWNED PARKING LOT

A. SA RESOLUTION NO. 2016-001 OF THE SUCCESSOR AGENCY TO THE CHULA VISTA REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA APPROVING A PURCHASE AND SALE AGREEMENT WITH HC CAPITAL PARTNERS LLC, TO SELL ASSESSOR PARCEL NOS. 568-162-08 AND 568-162-09 FOR \$350,000.00

B. RESOLUTION NO. 2016-052 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A REAL PROPERTY EXCHANGE AGREEMENT BETWEEN HC CAPITAL PARTNERS LLC, AND THE CITY OF CHULA VISTA FOR CITY-OWNED PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CHURCH AVENUE AND DAVIDSON STREET, ASSESSOR PARCEL NO. 568-161-25, IN EXCHANGE FOR PROPERTY LOCATED AT 281-287 CHURCH AVENUE, ASSESSOR PARCEL NOS. 568-162-08 AND 568-162-09

*Director of Economic Development Crockett presented information on the item.*

**ACTION:** A motion was made by Councilmember McCann, seconded by Deputy Mayor Miesen, that Successor Agency Resolution No. 2016-001 and Council Resolution No. 2016-052 be adopted, headings read, text waived. The motion carried by the following vote:

**Yes:** 4 - Aguilar, Bensoussan, McCann and Miesen

**No:** 0

**Abstain:** 1 - Casillas Salas

*Mayor Casillas Salas returned to the dais at 7:49 p.m.*

## **CITY MANAGER'S REPORTS**

*City Manager Halbert spoke regarding the Smart Cities program. He stated the City was not selected as a finalist for a Department of Transportation grant but that the City would continue to pursue smart transportation solutions. He also stated that one of the City's communications providers would install fiber optic cable in established neighborhoods in the City.*

## **MAYOR'S REPORTS**

*Mayor Casillas Salas spoke regarding her attendance at a recent SANDAG retreat on the topic of transportation in the region, a Promise Neighborhood Leadership Academy session, and the season openings of several of the City's little leagues. She stated she would be the keynote speaker at an upcoming convention of the California Building Officials Association and commended Building Official Lou El-Khazen for his leadership in the field.*

## **COUNCILMEMBERS' COMMENTS**

*Councilmember McCann spoke regarding the opportunities for technology companies to move to Chula Vista. He stated he attended the recent Eastlake Little League ribbon cutting, Taste of Third Avenue event, and the Chula Vista Chamber of Commerce event at St. Paul's Plaza.*

**ADJOURNMENT**

*At 7:59 p.m., Mayor Casillas Salas adjourned the meeting to the Regular City Council Meeting on March 22, 2016, at 5:00 p.m., in the Council Chambers.*

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Kerry K. Bigelow, Assistant City Clerk